

*First Special & Organizational Meeting
January 2, 2019*

The First Special and Organizational Meeting of 2019 was called to order by the Legislative Clerk at 9:03 A.M.

The following County Legislators were present:

DISTRICT 1
Clifford Balliet

DISTRICT 5
Dennis M. Mullen

DISTRICT 2
Martha C. Sauerbrey

DISTRICT 6
Dale N. Weston

DISTRICT 3
Michael Roberts

DISTRICT 7
William H. Standinger, III
Ed Hollenbeck

DISTRICT 4
Loretta A. Sullivan
Tracy Monell (*arrived at 9:07 a.m.*)

There were 16 people in attendance.

The Clerk asked Legislator Sullivan to have a moment of Prayer. "Heavenly Father this is the first Legislative meeting of the New Year. We want to take a moment and thank you for your guidance in the course of our duties in 2018 and we humbly ask that you guide this Legislative body and all those who are being sworn in today to be with us throughout the New Year and provide guidance so that we perform our duties in a manner that best serves our residents."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

County Clerk Andrea Klett swore in Legislators Balliet, Monell, Mullen, Sauerbrey, and Sullivan, Election Commissioners Bernadette Toombs and James Wahls.

The Clerk announced that the first order of business was the election of a Chair. Legislator Hollenbeck nominated Legislator Sauerbrey, seconded by Legislator Sullivan. Legislator Sullivan moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote, all members voted Aye and the Clerk cast one ballot and Legislator Sauerbrey was appointed Chair of the Tioga County Legislature for a one-year term.

County Clerk Andrea Klett swore Legislator Sauerbrey in as Chair of the Tioga County Legislature for 2019.

Chair Sauerbrey spoke. "First of all I want to thank the entire Legislature for their support and for appointing me as Chair of the Legislature. I want to thank also all of the Department Heads and all the employees of Tioga County; they are doing a great job in providing services to the residents. I just want to share that I will continue my commitment to do this job, that I will be on call 24-7 in any case of flooding or any kind of other issues that come up and I will continue to do that.

"We have survived quite a few challenges in the last few years and I suspect we will have more as we move forward. With the change in the State Legislature, I think that we are going to see some more progressive things come down the road and so we may be challenged in how we handle that and our decisions moving forward. Again, we have a great team here; everyone has a lot of talent. Thank you."

The Chair announced the next order of business is nominations for a First Deputy Chair. Legislator Sullivan nominated Legislator Hollenbeck, seconded by Legislator Mullen. Legislator Sullivan moved to close the nominations, seconded by Legislator Mullen. On roll call vote, all members voted Aye and the Chair cast one ballot and Legislator Hollenbeck was appointed First Deputy Chair of the Tioga County Legislature for a one-year term.

The Chair called for nominations for a Second Deputy Chair. Legislator Standinger nominated Legislator Weston, seconded by Legislator Mullen. Legislator Sullivan moved to close the nominations, seconded by Legislator Mullen. On roll call vote, all members voted Aye and the Chair cast one ballot and Legislator Weston was appointed Second Deputy Chair of the Tioga County Legislature for a one-year term.

County Clerk Andrea Klett swore in Legislators Hollenbeck and Weston as First and Second Deputy Chairs of the Tioga County Legislature for 2019.

The Chair called for nominations for County Attorney. Legislator Sullivan nominated Peter DeWind, seconded by Legislator Mullen. Legislator Sullivan moved to close the nominations, seconded by Legislator Mullen. On roll call vote all Legislators voted for Peter DeWind as County Attorney and the Chair cast one ballot and Peter DeWind was appointed County Attorney for a three-year term.

Legislator Mullen spoke. "Peter has done a fantastic job and we were extremely lucky to find Peter after Judy retired. Thank you for the hard work and continuing to work hard for the County. Thank you for the hard work and it has been noted."

The Chair called for nominations for Legislative Clerk. Legislator Sullivan nominated Maureen Dougherty, seconded by Legislator Hollenbeck. Legislator Sullivan moved to close the nominations, seconded by Legislator Standinger. On roll call vote all Legislators voted for Maureen Dougherty as Legislative Clerk and the Chair cast one ballot and Maureen Dougherty was appointed Legislative Clerk for a three-year term.

The Chair called for nominations for Budget Officer. Legislator Sullivan nominated Rita Hollenbeck, seconded by Legislator Monell. Legislator Hollenbeck moved to close the nominations, seconded by Legislator Monell. On roll call vote all Legislators voted for Rita Hollenbeck as Budget Officer and the Chair cast one ballot and Rita Hollenbeck was appointed Budget Officer for a three-year term.

The Chair called for nominations for Public Defender. Legislator Standinger nominated George Awad, seconded by Legislator Weston. Legislator Hollenbeck moved to close the nominations, seconded by Legislator Mullen. On roll call vote, all Legislators voted for George Awad as Public Defender and the Chair cast one ballot and George Awad was appointed Public Defender for a three-year term.

County Clerk Andrea Klett swore in Peter DeWind, County Attorney, Maureen Dougherty, Legislative Clerk, Rita Hollenbeck, Budget Officer, and George Awa0028d, Public Defender for three-year terms.

The Chair called for nominations for Public Information Officer. Legislator Sullivan nominated Douglas Barton, seconded by Legislator Standinger. Legislator Weston moved to close the nominations, seconded by Legislator Mullen. On roll call vote, all Legislators voted for Douglas Barton as Public Information Officer, and the Chair cast one ballot and Douglas Barton was appointed Public Information Officer for a one-year term.

The Chair called for nominations for Republican Majority Leader. Legislator Sullivan nominated Legislator Michael Roberts, seconded by Legislator Hollenbeck. Legislator Weston moved to close the nominations, seconded by Legislator Mullen. On roll call vote, all Legislators voted for Legislator Michael Roberts as Republican Majority Leader, and the Chair cast one ballot and Legislator Michael Roberts was appointed Republican Majority Leader for a one-year term.

Chair Sauerbrey asked if there were any disclosures to be made.

Legislator Sullivan stated, "I have nothing to disclose."

Legislator Weston stated, "I have nothing to disclose."

Legislator Balliet stated, "I have nothing to disclose."

Legislator Hollenbeck stated, "I have nothing to disclose."

Legislator Monell stated, "I have nothing to disclose."

Legislator Mullen stated, "I have nothing to disclose."

Legislator Sauerbrey stated, "I have nothing to disclose."

Legislator Roberts stated, "I have nothing to disclose."

Legislator Standinger stated, "I have nothing to disclose."

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 1-19 TRIPS AUTHORIZED

RESOLVED: That the Chair and the Clerk of the County Legislature, the County Attorney, and County Legislators be, and they hereby are, authorized to make such trips as their duties may require and that their actual and necessary expenses for travel, meals and lodging incurred on such trips be a County charge.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 2-19 DESIGNATION OF OFFICIAL DEPOSITORIES

RESOLVED: That, pursuant to the powers vested in this Legislature by Section 212 of the County Law, as amended, the following Banks within New York State be, and they hereby are designated as depositories for the deposit of all monies received by the County Treasurer, to an amount not to exceed the sum set opposite the name of each Bank as follows:

JP Morgan Chase Bank	\$30,000,000
Chemung Canal Trust Company	\$30,000,000
Citizens Bank, N.A.	\$30,000,000
Community Bank, N.A.	\$30,000,000
First Niagara Bank, N.A.	\$30,000,000
M&T Bank	\$30,000,000
Tioga State Bank	\$30,000,000
National Bank and Trust Company, N.A.	\$30,000,000
M&T Securities, Inc.	\$30,000,000

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 3-19 *DESIGNATE OFFICIAL NEWSPAPERS*

RESOLVED: That the Tioga County Courier and the Morning Times are hereby designated official newspapers for the publication of all local laws, notices and other matters required by law to be published pursuant to County Law §214, Subd. 2; and be it further

RESOLVED: That the Press and Sun Bulletin, a daily newspaper, is hereby designated as the official newspaper for purposes of publishing all local laws, notices and other matters required by law to be published at such times that there is insufficient time to publish in the above two newspapers.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 4-19 *DESIGNATION OF NEWSPAPER FOR
REPUBLICAN PARTY*

RESOLVED: That the Morning Times is hereby designated as the newspaper published in the County of Tioga for the Republican Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 5–19 *DESIGNATION OF NEWSPAPER FOR DEMOCRATIC PARTY*

RESOLVED: That the Tioga County Courier is hereby designated as the newspaper published in the County of Tioga for the Democratic Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 6–19 *SET SALARY OF CHAIR*

RESOLVED: That the salary of the Chair of the Tioga County Legislature be set at \$35,956 per year, which includes the salary received as County Legislator of \$11,119 and an additional \$24,837 to serve as Chair.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standingier.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 7-19 *FIX DATES AND TIMES OF
TIOGA COUNTY LEGISLATIVE
MEETINGS*

RESOLVED: That the Tioga County Legislature during 2019 shall meet regularly in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York at 12:00 P.M. on the Tuesday following Committees which are held during the first full work week of the month; and be it further

RESOLVED: That the, March, June, September and December 2019 Legislative meetings shall be held at 6:00 P.M.

Legislator Sullivan spoke. "In order to be as available to the public as possible we have always set aside at least these four dates throughout the year to hold our monthly regular meetings in the evening. In the 10 years that I have been on the Legislature, that has not increased attendance whatsoever. I would more be in favor of holding these meetings at our normal daytime hours, however in the event of large issues of which during my 10 years there were two, one was the Barton Transfer Station and its closure, and the other was the problems with the bus transportation system thanks to New York State, which we ended up no longer being able to afford, I would rather see that in those events no matter what time of year it is that we conduct meetings associated with those items in the evening. For that reason, I am not in favor of approving this resolution."

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Mullen, Sauerbrey, Roberts and Standingier.

No – Legislators Sullivan, Hollenbeck and Monell.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standingier.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 8-19 *APPOINT COUNTY AUDITOR
AND DEPUTY COUNTY AUDITOR*

WHEREAS: The County is required to appoint a County Auditor and Deputy County Auditor to process and review the Purchase Orders submitted by County Departments for payment of a variety of bills; and

WHEREAS: The terms for these appointments coincide with Legislator Group One and are due for reappointment as of January 1, 2019; therefore be it

RESOLVED: That Maureen L. Dougherty, be and hereby is appointed County Auditor for a three (3) year term, commencing January 2, 2019 and ending December 31, 2021; and be it further

RESOLVED: That Cathy Haskell be and hereby is appointed Deputy Tioga County Auditor, to act in the absence of the County Auditor, said term to be the same as that of the County Auditor.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standingier.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 9-19 ANNUAL REVIEW OF PROCUREMENT POLICY

WHEREAS: General Municipal Law §104-b requires an annual review of Tioga County's procurement policy and procedures; now therefore be it

RESOLVED: That the Tioga County Legislature affirms its annual review of its Procurement Policy.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 9:29 A.M.

First Regular Meeting
January 15, 2019

The First Regular Meeting of 2019 was held on January 15, 2019 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Dear Lord with the changes in Albany that take effect this year we anticipate some unpopular and probably costly policy changes, so we ask that you provide us guidance to deal with those as best we can, keeping in mind your son's teaching that we must give unto Caesar that which is Caesar's."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

There were 7 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Legislator Sullivan read and presented the following recognition resolution to Christine Anthony, Department of Motor Vehicles.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO	ADMINISTRATIVE SERVICES COMMITTEE
RESOLUTION NO. 10-19	<i>RECOGNITION OF CHRISTINE M. ANTHONY'S 30 YEARS OF DEDICATED SERVICE TO THE TIOGA COUNTY DEPARTMENT OF MOTOR VEHICLES</i>

WHEREAS: Christine M. Anthony was hired as an Account Clerk-Typist on December 12, 1988, and was appointed to the position of Senior Motor Vehicle Clerk in 2002, and was promoted to Supervisor of the Department of Motor Vehicles on January 23, 2006, the position she held until her retirement; and

WHEREAS: Christine Anthony has been extremely dedicated, loyal, and professional in the performance of her duties and responsibilities during her 30 years in the Department of Motor Vehicles; and

WHEREAS: Christine has earned the respect of the County Clerk, Deputy County Clerk, colleagues, and peers throughout Tioga County; and

WHEREAS: Christine Anthony retired on January 4, 2019; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Christine M. Anthony for her 30 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Christine M. Anthony.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Sullivan spoke. "I want to congratulate you on your retirement. My first year on the Legislature the DMV was still at their location in the Plaza and the Legislature had been toying for several years with moving it back or keeping it there, or what should we do. That was the first time that I met with Chris because I was on the committee with Dale and Mr. Woodburn at the time and Chris to work through the best options, and I know it was tough for your staff to move back again because that was a great big area. Even though Chris really liked it, there she understood what we were trying to achieve and Chris was very helpful to me in learning about the DMV as well as in saving the County quite a bit of money at the time. Since then I had a need a few years back with a DMV issue that I was dealing with and I called Chris directly and she walked me through everything that I needed, as it was not anything I was familiar with and I was very grateful for that. Thank you and God bless you."

Suellen Griffin, Deputy County Clerk spoke. "Good afternoon Legislators, Andrea is at a County Clerk's Conference and could not be here, but she wanted to make sure to recognize Christine for her service and congratulate her on her retirement. Chris has been a valuable and dedicated employee of Tioga County since 1988. She started out as an Account Clerk Typist working her way up to Senior Motor Vehicle Clerk and ultimately became the Motor Vehicle Department Supervisor, a position she has held just shy of 13 years. She is knowledgeable,

professional, and has always made customer service her first priority. Chris you will be missed, but we wish you all the best in your retirement and thank you for your 30 years of service."

Chris Anthony spoke. "When I first came into this building I was not an employee and I was coming into Employment and Training just to get like a little typing experience, I was thinking about going back out into the working environment and the day I sat there they came in and they said we have a job for you and I was not really looking, and they said we have a part-time opening at the Clerk's and we have a full-time opening at the DMV. Of course, I did not want to work at the DMV, it had a bad history, so I interviewed for the Clerk and they said no, we really want you at the DMV and here I am. That was Charles Blackman who talked me into coming here and I really enjoyed my 30 years here."

Chair Sauerbrey spoke. "I will have to share that on Christine's last day I was reminded that this was Christine's last day so I went down two times to speak with her personally and wish her well. Both times, she was busy working at the counter and she worked right up to the very end. I am like well good luck. We wish you well."

Chair Sauerbrey noted the following Proclamation on National Radon Action Month.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Radon is the leading cause of lung cancer deaths among nonsmokers in America and claims the lives of about 21,000 Americans each year; and

WHEREAS: You can't see, smell or taste radon, but it could be present at a dangerous level in your home; and

WHEREAS: Homes tested to date in Tioga County show 57% have elevated levels above 4 pCi/l in the basement and 36% on the first floor; and

WHEREAS: Radon is constantly being generated by the radium in rocks, soil, water and materials derived from rocks and soils, such as certain building materials; and

WHEREAS: The Environmental Protection Agency (EPA) and the U.S. Surgeon General urge all Americans to protect their health by testing their homes, schools and other buildings for radon; and

WHEREAS: Exposure to radon is a preventable health risk and testing radon levels in your home can help prevent unnecessary exposure; and

WHEREAS: Radon can get into buildings by cracks in solid floors and walls, construction joints, gaps in suspended floors, gaps around service pipes, cavities inside walls or the water supply; and

WHEREAS: For more information on radon, call the New York State Department of Health at 518-402-7556 or email radon@health.ny.gov; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of January 2019 as:

NATIONAL RADON ACTION MONTH

and urges all residents to take steps to educate themselves, their families, and the community about the importance of radon testing.

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of December 11, 2018, seconded by Legislator Weston and carried.

Chair Sauerbrey made the following appointment to the Cornell Cooperative Extension Board:

Legislator William Standinger – 1/1/19-12/31/19

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 12-19 *APPOINT MEMBERS
FISH & WILDLIFE MANAGEMENT BOARD*

WHEREAS: The Board terms for Elected Official Representative and Sportsman Member on the Fish & Wildlife Management Board have expired; and

WHEREAS: Dale Weston, Tioga County Legislator has expressed an interest to continue to serve as the Elected Official Representative to the Fish and Wildlife Management Board; and

WHEREAS: William J. Woods, Jr. has expressed an interest to continue to serve as the Sportsman Member to the Fish and Wildlife Management Board; therefore be it

RESOLVED: That Dale Weston, Tioga County Legislator, be appointed as the Elected Official Representative to the Fish and Wildlife Management Board for a two-year term through December 31, 2020 and William J. Woods, Jr. be appointed as the Sportsman Member to the Fish and Wildlife Management Board for a two-year term through December 31, 2020.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 13-19 REAPPOINT MEMBER TO TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION (TCPDC) BOARD

WHEREAS: Lewis Zorn as Supervisor of the Town of Tioga was appointed as a Tioga County Property Development Corporation Board Member conditioned by his holding of that office for which his term expired on 12/31/2018; and

WHEREAS: The TCPDC Bylaws allow for consecutive terms; and

WHEREAS: Lewis Zorn is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Lewis Zorn, Supervisor of the Town of Tioga to the Tioga County Property Development Corporation Board as a Board Member for a two year term of 1/1/19 – 12/31/20.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standingier.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 14-19 REAPPOINT MEMBER TO TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION (TCPDC) BOARD

WHEREAS: Stuart Yetter as Supervisor of the Town of Newark Valley was appointed as a Tioga County Property Development Corporation Board Member

conditioned by his holding of that office for which his term expired on 12/31/2018; and

WHEREAS: The TCPDC Bylaws allow for consecutive terms; and

WHEREAS: Stuart Yetter is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Stuart Yetter, Supervisor of the Town of Newark Valley to the Tioga County Property Development Corporation Board as a Board Member for a two year term of 1/1/19 – 12/31/20.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 15-19 *AMENDMENT OF THE BYLAWS OF THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION (TCPDC), A NEW YORK LAND BANK TO INCREASE THE NUMBER OF BOARD MEMBERS FROM SEVEN TO NINE*

WHEREAS: Per Resolution No. 265-16, the Tioga County Legislature authorized the application and establishment of the Tioga County Property Development Corporation; and

WHEREAS: Per said resolution, the TCPDC Bylaws provide that any amendments regarding the number, term or qualification of members of the Board, shall require the approval of the Tioga County Legislature; now therefore be it

RESOLVED:

1. That the number of Board Members shall increase from seven to nine.

2. That the members of the Board of Directors shall continue to serve for a two or three year staggered term. Each member shall be a public officer of a municipality within Tioga County and/or a member of a County agency within Tioga County and their membership shall be conditioned upon holding the public office. A "Municipal Representative" of the Board of Directors shall be appointed by the Chairman and confirmed by a majority vote of the Tioga County Legislature as well as the governing board of the Municipal Representative's municipality consenting to his/her appointment.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 16-19

APPROVING CONSOLIDATION OF VITAL REGISTRATION DISTRICTS BETWEEN THE TOWN OF NICHOLS & THE VILLAGE OF NICHOLS PUBLIC HEALTH

WHEREAS: The Town of Nichols has been assigned by New York State as Vital Statistics Registration District 5354, and the Village of Nichols has been assigned by New York State as Vital Statistics Registration District 5323; and

WHEREAS: New York State Department of Health is urging Towns and Villages to consolidate their Vital Statistics Registration Districts; and

WHEREAS: The formal consolidation of the Registration Districts would benefit the public by eliminating questions as to which district records should be filed and not result in the loss of services to either municipality; and

WHEREAS: The Town Clerk has received the approval by Resolution #7-2018 of the Town Board to formally consolidate the Town and Village registration districts into one primary registration district, namely the District of the Town of Nichols under Vital Statistics Registration District 5354; and

WHEREAS: The Town of Nichols does urge the Tioga County Legislature to support the consolidation; therefore be it

RESOLVED: By the Tioga County Legislature that consolidation of the Town and Village of Nichols Registrar functions under the Town's registration number (Vital Registration District 5354) is approved, pending necessary approvals of all other required entities, including New York State Department of Health.

Legislator Standinger spoke. "I would like to say one thing; I think this is a positive development. To streamline the record keeping process is a good thing in this day and age."

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 17-19 *REQUESTING OUR STATE LEGISLATORS TO PROVIDE FUNDING FOR THE ESTABLISHMENT OF THE PFC JOSEPH DWYER PEER-TO-PEER SUPPORT PROGRAM FOR TIOGA COUNTY*

WHEREAS: The Tioga County Department of Mental Hygiene is requesting the establishment of the PFC Joseph Dwyer Peer-to-Peer Support Program; and

WHEREAS: The Dwyer Program brings returning veterans together with other veterans in establishing a secure, anonymous setting in order to help one another cope with the effects of Post-Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), Substance Use Disorders, and other mental health issues; and

WHEREAS: The purpose of the Dwyer Program was to design and implement a peer based program with the following goals: Pursue outreach and education; Provide peer support; Build resiliency among peers; Encourage a connection among family, friends, and community; Provide access to suicide prevention and intervention initiatives; Foster hope; and

WHEREAS: The PFC Joseph Dwyer Peer-to Peer Program is funded through New York State and administered on the County level through the local Office of Mental Health; and

WHEREAS: The County Legislature recognizes the honorable service and sacrifice rendered by the veterans and their families in Tioga County; now therefore be it

RESOLVED: That the County of Tioga Legislature hereby request funding for the PFC Joseph Dwyer Peer-to-Peer Program be placed in the New York State budget; and be it further

RESOLVED: That the Clerk of this Legislature shall forward this resolution to Governor Andrew Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, and all others as deemed necessary and appropriate.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 18-19 *RESOLUTION TO APPROVE CONTINUED MOU BETWEEN TIOGA COUNTY PROBATION DEPARTMENT AND SMART START*

WHEREAS: The Tioga County Probation Department must supervise offenders who are sentenced to probation supervision by Tioga County courts for drinking and driving behavior; and

WHEREAS: Many probationers divest themselves of their motor vehicles pre or post sentencing so that they do not have to install an ignition interlock device (IID). The Smart Start company markets a hand held IID, similar to an IID, that will allow defendants to blow into the device at assigned times and have their BAC calculated, a photo taken and a GPS location established; and

WHEREAS: The Smart Start company has partnered with Tioga County since 2015 to provide these devices at the rate of \$3.10 per day via an MOU that is renewable automatically each year and would like to continue the program in 2019; and

WHEREAS: Tioga County Probation has budgeted funds in 2019 in Contracting Services for Smart Home units in the amount of \$2,500 in account number A3142 540140 and \$2,227 in STOP DWI funds; therefore be it

RESOLVED: That the Tioga County Probation Department is authorized to continue to contract with Smart Start to provide hand held alcohol testing devices for the year 2019.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 19-19 *BUDGET MODIFICATION TO TIOGA COUNTY
VETERANS' SERVICE AGENCY 2019 BUDGET*

WHEREAS: The Tioga County Department of Mental Hygiene (TCDMH) has again reallocated 2019 state aid to be passed through to Tioga County Veterans' Service Agency (TCVSA); and

WHEREAS: The funding is specifically designated for Outreach program deliverables and has been approved as revenue in the TCVSA 2019 Budget in the amount of \$6,000.00 as a state aid contract with TCDMH; and

WHEREAS: TCDMH has already allocated this funding in its 2019 budget; yet this will require a 2019 budget modification and transfer of funds within TCSVA; and

WHEREAS: Budget Modification and Appropriation of Funds requires Legislative Approval; therefore be it

RESOLVED: That 2019 budget modification be appropriated as follows:

To: A6510 540010 Advertising	\$1,000.00
A6510 540220 Automobile Fuel	\$ 250.00
A6510 540360 Meals/Food	\$1,250.00
A6510 540420 Office Supplies	\$ 500.00
A6510 540485 Printing/Paper	\$ 500.00
A6510 540640 Supplies (Not Office)	\$1,750.00
A6510 540733 Training/All Other	\$ 750.00

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: INFORMATION TECHNOLOGY
FINANCE COMMITTEE

RESOLUTION NO. 20-19 FUND FMAS SOFTWARE
DEVELOPMENT FOR RESIDENCY
CERTIFICATES

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: As part of the transition of financial management software from the County's AS400 system a developer has been retained to create a web-based system for tracking Community College Residency Certificates (tuition reimbursement) for the Treasurer's Office; and

WHEREAS: The application developed has met the approval of the Treasurer's office; and

WHEREAS: The Information Technology department has received an initial invoice for this development; and

WHEREAS: The Tioga County Legislature desires to fund the purchase of said software development project from the Capital FMAS Reserve Fund; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of said software upgrade project to Forward Business Solutions from the FMAS Reserve Fund; and be it further

RESOLVED: That the following funds be transferred:

FROM: H387808 FMAS Reserve Fund	\$4,000.00
TO: H1680.520620 Capital Software Account	\$4,000.00

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE; HHS
FINANCE COMMITTEE

RESOLUTION NO. 21-19 RE-ESTABLISH PRIOR YEAR 2018
CAPITAL PROJECTS FOR 2019 BUDGET

WHEREAS: Prior year Capital Projects and Capital Equipment Requests need to be re-established for the remaining unspent balance as of year-end 2018 for purchase or completion in 2019; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

Bond Bridge Projects Reso 23-18 BIN# 3218430 3334820 Amt to Establish

H5110 540002 H1802 Kelsey Road Bridge	\$	
H5110 540002 H1803 Dean Creek Road Bridge		16,000.00

Non Bond Bridge Projects Reso177-18;178-18 BIN \$

H5110 540004 H1606 Day Hollow Road 333536	\$	830,986.68
H5110 435020 H1606 State Aid Day Hollow	\$	175,613.55
H5110 445020 H1606 Federal Aid Day Hollow	\$	702,454.18

Capital Projects Culvert Reso 115-17

H5110 520003 H1709 West River Road PIN 9754.52	\$	225,000.00
H5110 435020 H1709 State Aid West River Rd	\$	225,000.00

Capital Building Projects

H1620 520121 County Clerk's Roof	\$	69,060.00
H1620 520922 Temple Street Roof	\$	79,000.00
H1620 520907 Public Works Facility	\$	42,271.20
H1620 520911 Renovations 56 Main Street	\$	18,000.00
H1620 520927 Court Annex	\$	36,000.00
H1620 520931 Carpeting	\$	10,000.00
H1620 521988 Court House Renovations	\$	22,996.00
TOTAL	\$	277,327.20

Capital Other

H4064 520130 CDBG Dental –Reso 39-18:40-18	\$	197,189.35
H4064 444011 CDBG Dental –Reso 39-18:40-18 *	\$	269,928.00
(Due to Encumbered 2018 Funds)		

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2019 modified budget.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 22-19 RE-ESTABLISH PRIOR YEAR 2018
GRANTS FOR HHS FOR 2019 BUDGET

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2018 for purchase or completion in 2019; therefore be it

RESOLVED: That the following HHS accounts and amounts be re-established and the 2019 budget be amended:

<u>MENTAL HEALTH –Reso 230-18 DFC Grant</u>	<u>Amount to Re-Establish</u>
A4213 540590 Services Rendered	\$ 124,458.00
A4213 444863 Federal Aid-DFC Grant	\$ 124,458.00
<u>PUBLIC HEALTH –Reso 108-18 Pickert-Hickock Fund</u>	
A4053 540640 Health Education-Supplies	\$ 5,000.00
A4053 422800 Community Grants	\$ 5,000.00
<u>TRANSPORTATION –Reso 159-18 Federal 5311 funds</u>	
A5630 540140 Transportation-Contracting Services	\$ 592,506.51
A5630 440900 Federal Aid – Transportation	\$ 526,672.57
A5630 430900 State Aid –Transportation	\$ 65,833.94

DSS ADMIN –Reso 290-18-18 SNAP Bonus Award

A6010 520090 Computer	\$	24,600.00
A6010 436100 State Aid-Social Service Admin	\$	12,300.00
A6010 446110 Federal Aid-Social Service Admin	\$	12,300.00

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2019 modified budget.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 23-19 RE-ESTABLISH PRIOR YEAR 2018 GRANTS FOR 2019 BUDGET

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2018 for purchase or completion in 2019; therefore be it

RESOLVED: That the following accounts and amounts are re-established and the 2019 budget is amended:

ILS -Reso 28-18 / 37-17 Indigent Legal Services Amount to Re-Establish

A1173 510010 Full Time Salary	\$	19,471.96
A1173 510020 Part Time Salary	\$	36,073.75
A1173 540040 Books	\$	1,966.98
A1173 540320 Leased Services	\$	5.90
A1173 540620 Software	\$	7,913.68
A1173 540733 Training	\$	475.46

A1173 430260 State Aid Indigent Legal Service	\$	65,907.73
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Sherriff –Reso 227-18 NYS Legislative Grant LG18-1352-D00

A3110 433952 State Aid Sheriff NYS Leg Grant	\$	10,000.00
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Fire–Reso 132-17 Interoperable Grant

A3415 433063 IO16 State Aid -Interoperable Grant	\$	12,262.50
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Fire–Reso 92-18 Interoperable Grant

A3415 433063 IO17 State Aid -Interoperable Grant	\$	433,644.13
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A3415 520230 IO17 Radio Equipment	\$	410,000.00
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A3415 540140 IO17 Contracting Services	\$	23,644.13
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EMO – SHS16 RESO 216-16

A3360 520130 Contracted Services	\$	500.00
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A3360 433566 State Aid SHSP16	\$	500.00
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EMO – SHS17 RESO 260-17

A3360 540140 SHS17 Contracted Services	\$	5,352.46
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A3360 520090 SHS17 Computer	\$	2,000.00
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A3360 433567 SHS17 State Aid SHSP 17	\$	7,352.46
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H3360 520060 SHS17 Computer	\$	1,625.92
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H3360 433567 SHS17 State Aid SHSP 17	\$	41,250.00
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A3361 520230 SHS17 Radio & Equipment	\$	17,495.00
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A3361 433567 SHS17 State Aid SHSP17	\$	17,495.00
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EMO – SHS18 RESO 226-18

A3360 540140 SHS18 Contracted Services	\$	9,970.00
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A3360 433567 SHS18 State Aid SHSP 18	\$	9,970.00
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H3360 520060 SHS18 Car/Truck	\$	2,362.50
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H3360 433567 SHS18 State Aid SHSP 18	\$	2,362.50
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A3361 520215 SHS18 Personal Protective Gear	\$	17,495.00
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A3361 433567 SHS18 State Aid SHSP 18	\$	17,495.00
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EMO – HMP16 RESO 261-17

A3360 520140 HMP16 Contracted Services	\$	251.00
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A3360 443566 HMP16 Federal Aid- Hazardous Mitigation	\$	7,184.64
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Economic Development–Reso 227-17

Amount to Re-Establish

CE8510 540487- CE002 Parkview Main Street	\$	118,750.00
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CE8510 439900- CE002 State Aid Parkview Main Street	\$	118,750.00
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And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2019 modified budget.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRING TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 24-19 *AUTHORIZE ACCEPTANCE OF THE NYS
2018-2019 PSAP OPERATIONS GRANT AND
MODIFY 2019 BUDGET*

WHEREAS: The Sheriff applied and was awarded a NYS Office of Interoperable and Emergency Communications PSAP Operations grant in the amount of \$128,678; and

WHEREAS: This funding will reimburse the E911 budget for Dispatcher personnel service costs incurred in 2019; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2019 budget be modified to reflect this state aid and that this funding be receipted with the following revenue account.

Revenue Account: A3020 433310 \$128,678

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 25-19 ACCEPT INDIGENT LEGAL SERVICES AWARD
AND AMEND 2019 BUDGET

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C800049) in the amount of \$123,804.00; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the ILS Grant of \$123,804.00 be appropriated and the 2019 Budget be amended as follows:

To:

Expense Account: A 1173 510010 Full Time Salary	\$42,405.00
A 1173 510020 Part Time Salary	\$62,500.00
A 1173 540620 Software Expenses	\$ 2,500.00
A 1173 540140 Contracted Services	\$ 7,899.00
A 1173 540733 Training	\$ 1,500.00
A 1173 540700 Transcripts for PD	\$ 1,500.00
A 1173 540040 Books for PD	\$ 5,500.00

From:	A1173 430260 State Aid-Indigent Grant	\$ 123,804.00
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ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 26-19 AMEND 2019 BUDGET AND APPROPRIATE FUNDS PUBLIC WORKS

WHEREAS: The Commissioner of Public Works applied for and was awarded funding through New York State Department of Transportation 2018 Bridge NY program for a bridge project, West River Drive over Parks Creek BIN 3335400; and

WHEREAS: The Commissioner of Public Works applied for and was awarded funding through New York State Department of Transportation 2018 Bridge NY program for a bridge project, West Creek Road over West Branch Owego Creek BIN 3335200; and

WHEREAS: It is anticipated that these projects will be funded 95% Federal with a 5% Local Share; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of these awards; and be it further

RESOLVED: That the 2019 budget be modified and funds be appropriated to the following accounts:

Expense Accounts:

H5110 540004 H1903	West River Drive BIN 3335400	\$ 730,640
H5110 540004 H1904	West Creek Road BIN 3335200	\$1,953,800

Revenue Accounts:

H5110 445020 H1903	Federal Revenue BIN 3335400	\$	694,108
H5110 445020 H1904	Federal Revenue for BIN 3335200	\$	1,856,110

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 27-19 *AWARD DESIGN SERVICES TO DELTA ENGINEERS FOR WEST CREEK ROAD BRIDGE BIN 3335200*

WHEREAS: The Commissioner of Public Works applied for and was awarded funding through New York State Department of Transportation 2018 Bridge NY program for a bridge project, West Creek Road over West Branch Owego Creek BIN 3335200; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$234,019; therefore be it

RESOLVED: That the Tioga County Legislature approve Delta Engineers' proposal for the West Creek Road Bridge BIN 3335200 not to exceed \$234,019 to be paid out of the West Creek Road Bridge Account H5110.540004.H1904.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 28-19 AWARD DESIGN SERVICES TO
MCFARLAND JOHNSON ENGINEERS FOR WEST
RIVER DRIVE BRIDGE BIN 3335400

WHEREAS: The Commissioner of Public Works applied for and was awarded funding through New York State Department of Transportation 2018 Bridge NY program for a bridge project, West River Drive over Parks Creek BIN 3335400; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from McFarland Johnson Engineers, Binghamton, NY; and

WHEREAS: The proposal for this bridge came in at \$121,840; therefore be it

RESOLVED: That the Tioga County Legislature approve McFarland Johnson Engineers' proposal for the West River Drive Bridge BIN 3335400 not to exceed \$121,840 to be paid out of the West River Drive Bridge Account H5110.540004.H1903.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 29-19 ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2019 indicates that parcel #118.18-1-13 Account #1549 in the Village of Owego assessed to

Katzenstein Family, NY LLC on the 2019 tax roll of the Town of Owego is erroneous in that on October 25, 2018 Hon. Ferris D. Lebous ordered a corrected assessed taxable value of \$15,180; be it therefore

RESOLVED: That a new tax bill was issued to Katzenstein Family, NY LLC by the Tioga County Real Property Office as follows:

	Original Bill #	Corrected Bill #
County	424.86	175.25
Recycle	25.16	10.38
Town Wide	39.18	16.16
Return Village (2018)	801.70	330.70
Total	1290.90	532.49

And be it further

RESOLVED: That the erroneous county tax of \$ 249.60 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 14.78 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$23.02 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Returned Village Tax of \$ 471.00 be charged back to the Village of Owego.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 30-19 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2019 indicates that parcel #129.07-1-1 Account #12431 in the Town of Owego assessed to Katzenstein Family, NY LLC on the 2019 tax roll of the Town of Owego is erroneous in that on October 25, 2018 Hon. Ferris D. Lebous ordered a corrected assessed taxable value of \$134,000; be it therefore

RESOLVED: That a new tax bill was issued to Katzenstein Family, NY LLC by the Tioga County Real Property Office as follows:

	Original Bill #	Corrected Bill #
County	2,233.96	1,547.03
Recycle	132.31	91.62
Town Wide	206.03	142.68
Part Town	568.86	393.94
Fire	546.53	378.47
Total	3,687.69	2,553.74

And be it further

RESOLVED: That the erroneous county tax of \$ 686.93 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 40.69 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$238.27 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire Tax of \$ 168.06 be charged back to the Owego Fire District.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 31-19 *ERRONEOUS ASSESSMENT
TOWN OF OWEGO*

WHEREAS: An application for Corrected Tax Roll for the year 2019 indicates that parcel #129.11-1-30 Account #12785 in the Town of Owego assessed to Katzenstein Family, NY LLC on the 2019 tax roll of the Town of Owego is erroneous in that on October 25, 2018 Hon. Ferris D. Lebus ordered a corrected assessed taxable value of \$18,975; be it therefore

RESOLVED: That a new tax bill was issued to Katzenstein Family, NY LLC by the Tioga County Real Property Office as follows:

	Original Bill #	Corrected Bill #
County	864.72	219.07
Recycle	51.21	12.97
Town Wide	79.75	20.20
Part Town	220.19	55.78
Fire	211.55	53.59
Total	1,427.42	361.61

And be it further

RESOLVED: That the erroneous county tax of \$645.65 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 38.24 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$223.96 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire Tax of \$ 157.96 be charged back to the Owego Fire District.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 32-19 ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2019 indicates that parcel #129.07-1-11 Account #12433 in the Town of Owego assessed to Katzenstein Family, NY LLC on the 2019 tax roll of the Town of Owego is erroneous in that on October 25, 2018 Hon. Ferris D. Lebus ordered a corrected assessed taxable value of \$75,600; be it therefore

RESOLVED: That a new tax bill was issued to Katzenstein Family, NY LLC by the Tioga County Real Property Office as follows:

	Original Bill #	Corrected Bill #
County	1,198.37	872.80
Recycle	70.97	51.69
Town Wide	110.52	80.50
Part Town	305.15	222.25
Fire	293.18	213.53
Total	1,978.19	1,440.77

And be it further

RESOLVED: That the erroneous county tax of \$325.57 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 19.28 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$112.92 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Owego Fire Tax of \$ 79.65 be charged back to the Owego Fire District.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 33-19 *ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for Corrected Tax Roll for the year 2019 indicates that parcel #68.12-2-12 Account #182 in the Town of Spencer assessed to David B Chandler on the 2019 tax roll of the Town of Spencer is erroneous in that the Village of Spencer returned Bill#58 Account #182 to the County Treasurer as unpaid; and

WHEREAS: The County Treasurer's Office relieved the returned 2018 Village Tax on the 2019 Tax Roll of the Town of Spencer; and

WHEREAS: David B Chandler contested his 2019 bill, claiming he had paid his Village taxes to the Village of Spencer Clerk; and

WHEREAS: David B Chandler and the Village of Spencer Clerk provided sufficient proof, in the form of a paid receipt and Village paid record; be it therefore

RESOLVED: That a new tax bill be issued to David B Chandler by the Real Property Office as follows:

	Original Bill #	Corrected Bill #
County	227.17	227.17
Recycle	13.45	13.45
Town Wide	97.11	97.11
Return School (2018)	525.59	525.59
Return Village (2018)	93.44	0.00
Total	956.76	863.32

And be it further

RESOLVED: That the erroneous returned village tax of \$93.44 be charged back to the Village of Spencer; and it be further

RESOLVED: That the erroneous County Penalty of \$6.11 be charged back to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 34-19

AMEND EMPLOYEE HANDBOOK
NON-UNION BENEFITS POLICY
(FORMERLY POLICY 44)

WHEREAS: The Non-Union Benefits Policy needs clarification in several areas to ensure eligibility is clear; therefore be it

RESOLVED: That Section 2: LEAVE ACCRUALS be revised to delete the first sentence which reads "Part-time (less than half-time) non-union employees and elected officials are not entitled to leave accruals."; and be it further

RESOLVED: That Section 5: HEALTH & DENTAL INSURANCE paragraph one be revised to read as follows:

"Eligibility: All full-time employees, Elected Officials (except Coroners), part-time Attorneys (except those in the Treasurer's Office) and part-time Dentists are eligible to participate in the Health /Dental/vision programs.";

and be it further

RESOLVED: That the "Employee Contributions" chart in Section 5 be revised to indicate the column heading of "2018 & 2019"; and be it further

RESOLVED: That the following sentence be deleted from Section 5 paragraph nine: "A 90 day supply of prescriptions will only be available through mail-order, and will require two times the co-pay."; and be it further

RESOLVED: That Section 6: DISABILITY INSURANCE be revised to include a sentence at the end of the paragraph which states:

"All full-time employees except elected officials are eligible for this benefit.";

and be it further

RESOLVED: That Section 7: DEFERRED COMPENSATION be revised to add the following sentence at the end of the first paragraph:

"All non-union employees are eligible to participate in the Deferred Compensation Plan.";

and be it further

RESOLVED: That Section 10: FLEXIBLE SPENDING PROGRAM be revised so the first sentence reads:

"All salaried non-union employees who have passed probation are eligible to participate in the Flexible Spending Program.";

and be it further

RESOLVED: That Section 11: JURY DUTY be revised to read:

“Any full-time employee called to Jury Duty will receive his/her regular salary minus any jury pay and will not be required to use leave time to cover said absence(s).”;

and be it further

RESOLVED: That the remainder of the Non-Union Benefits Policy is unchanged.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY

RESOLUTION NO. 35-19 APPOINTMENT OF ADMINISTRATIVE CORONER

WHEREAS: The Tioga County Coroners have selected an Administrative Coroner for 2019; and

WHEREAS: Such Administrative Coroner will perform the supervisory duties of managing their budget, paying the bills, and various office functions of the Coroner's office; and

WHEREAS: The Administrative Coroner will have no supervisory authority over the other Coroners; therefore be it

RESOLVED: That W. Stewart Bennett, Tioga County Coroner, has been selected by the four duly elected County Coroners to be designated as the Administrative Coroner for 2019 and be given a stipend of \$5,000.00 as set forth in the County budget.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 37-19 *EXECUTE LEASE OF PROPERTY
LOCATED AT 171 MAIN STREET
OWEGO, NEW YORK TO HOUSE
PUBLIC DEFENDER'S OFFICE*

WHEREAS: It is necessary for Tioga County to lease office space to house the Tioga County Public Defender's Office; and

WHEREAS: It appears appropriate to enter into a lease for said office space, inclusive of all utilities, equipment, and furniture, at property located at 171 Main Street, Owego, NY; and

WHEREAS: The lease of said office space is for a period of three years with 2 one year automatic renewals at an annual rate of \$15,000, to be paid in 12 monthly installments of \$1250.00; now therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a lease with George C. Awad, Jr. for the lease of said office space located at 171 Main Street, Owego, New York, which lease shall commence on February 1, 2019.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 38-19 *INCREASE HOURS OF TWO POSITIONS AND
CREATE POSITION (PUBLIC DEFENDER'S OFFICE)*

WHEREAS: Tioga County has an interest in providing sufficient Public Defender staff to cover all necessary court appearances; and

WHEREAS: The New York State Office of Indigent Legal services (ILS) has made funding available for increases in Public Defense staffing; therefore be it

RESOLVED: That effective January 21, 2019 the position of Public Defender shall increase from part-time to full-time (35 hrs/week) and have a Non-Union Salary range of \$98,538-\$108,538; and be it further

RESOLVED: That effective January 21, 2019 the position of 2nd Assistant Public Defender shall increase from part-time to full-time (35 hrs/week) and have a Non-Union Salary range of \$57,154-\$67,154; and be it further

RESOLVED: That one full-time (35 hrs/week) position of Secretary to the Public Defender shall be created with permission to hire effective January 21, 2019 with a Non-Union Salary range of \$31,242-\$41,242; and be it further

RESOLVED: That these changes alter the 2019 headcount for the Public Defender's Office to four (4) full-time and three (3) part-time positions; and be it further

RESOLVED: That the continuation of these positions on a full-time basis is contingent upon maintained funding from the New York State Office of Indigent Legal Services (ILS).

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 39-19 *AUTHORIZE APPOINTMENT OF FULL-TIME PUBLIC DEFENDER*

WHEREAS: Legislative approval is required for any appointment to a Non-Union position within Tioga County; and

WHEREAS: The Legislature has increased the hours of the position of Public Defender to full-time effective January 21, 2019; and

WHEREAS: The current incumbent of the part-time position is interested in the full-time position and the County Legislature is also interested in retaining the current incumbent; therefore be it

RESOLVED: That effective January 21, 2019 George Awad is appointed full-time Public Defender at an annual salary of \$104,473; and be it further

RESOLVED: That should the hours/week for the position be reduced at some time in the future, the salary shall be adjusted accordingly.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 40-19 *AUTHORIZE APPOINTMENT OF FULL-TIME 2ND ASSISTANT PUBLIC DEFENDER*

WHEREAS: Legislative approval is required for any appointment to a Non-Union position within Tioga County; and

WHEREAS: The Legislature has increased the hours of the position of 2ND Assistant Public Defender to full-time effective January 21, 2019; and

WHEREAS: The current incumbent of the part-time position is interested in the full-time position and the Public Defender is also interested in retaining the current incumbent; therefore be it

RESOLVED: That effective January 21, 2019 Thomas Cline is appointed full-time 2nd Assistant Public Defender at an annual salary of \$65,000; and be it further

RESOLVED: That should the hours/week for the position be reduced at some time in the future, the salary shall be adjusted accordingly.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 41-19 *AUTHORIZE APPOINTMENT OF FULL-TIME SECRETARY TO PUBLIC DEFENDER*

WHEREAS: Legislative approval is required for any appointment to a Non-Union position within Tioga County; and

WHEREAS: The Legislature created a full-time Secretary to the Public Defender position effective January 21, 2019; and

WHEREAS: The Public Defender has selected a candidate for the position; therefore be it

RESOLVED: That effective January 21, 2019 Cathy Coyne is appointed full-time Secretary to the Public Defender at an annual salary of \$37,000 in recognition of her years of service as George Awad's secretary; and be it further

RESOLVED: That should the hours/week for the position be reduced at some time in the future, the salary shall be adjusted accordingly.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:24 P.M.

*Second Special Meeting
January 24, 2019*

The Second Special Meeting of 2019 was called to order by the Chair at 10:01 A.M. Seven Legislative members were present, Legislators Monell and Standinger being absent.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Heavenly Father, as we gather here today and every day this year to conduct the business of the County we ask you to continue to support and guide us."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

There were 3 people in attendance.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:	PUBLIC WORKS COMMITTEE
RESOLUTION NO. 42-19	<i>AWARD CONSTRUCTION DAY HOLLOW ROAD BRIDGE BIN: 3335360</i>

WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: Funding is available for the construction of the Day Hollow over Foster Creek Bridge BIN: 3335360; and NYSDOT has concurred with the award; and

WHEREAS: The Commissioner of Public Works received sealed bids on January 10, 2019 and the bids results were as follows:

Procon Contracting LLC	\$784,000.00
R. DeVincentis Construction, Inc.	\$793,000.00
Economy Paving	\$815,958.00
Silverline Construction	\$833,205.00
Vector Construction	\$854,227.00
ING Civil Inc.	\$912,400.00
Slate Hill Constructors	\$931,622.00

WHEREAS: Barton & Loguidice, Syracuse, NY have completed the review of the bids and finds the low bidder Procon Contracting LLC, Vestal, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Procon Contracting, LLC Vestal, NY not to exceed \$784,000.00 to be paid out of the following account:

H5110.540004.H1606 – Day Hollow over Foster Creek Bridge – BIN 3335360

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey, and Roberts.

No – None.

Absent – Legislators Monell and Standingier.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 43-19

AUTHORIZING THE IMPLEMENTATION AND FUNDING OF THE COSTS OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT WHICH MAY BE ELIGIBLE FOR FEDERAL AID AND OR STATE AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS

WHEREAS: A project for the rehabilitation of BIN 3335400, West River Drive over Parks Creek, PIN 9754.81 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal Funds and 5% non-Federal Funds; and

WHEREAS: The County of Tioga will design, let and construct the “project”; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the costs of the work of the Project or portions thereof;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay 100% of the cost of the Preliminary Engineering / Design work for the Project or portions thereof, with the understanding that qualified costs may be eligible for Federal-aid, State-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED: That the sum of \$130,000 is hereby appropriated from the West River Drive Bridge account H5110.540004.H1903 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the project which exceed the amount of Federal-aid, State-aid, or NY Bridge Funding Awarded to the County of Tioga; and it is further

RESOLVED: That in the event the Project costs not covered by Federal-aid, State-aid, or NY Bridge funding exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute on behalf of the County of Tioga, all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Tioga's funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey, and Roberts.

No – None.

Absent – Legislators Monell and Standingier.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:04 A.M.

Second Regular Meeting February 12, 2019

The Second Regular Meeting of 2019 was held on February 12, 2019 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present, Legislator Sullivan being absent.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Let us pray. Dear Lord, please help us to carry out the work of your only begotten son. Simply put, that is to make a kinder and gentler people out of the human race."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 21 people in attendance.

Steven Palinosky of the Employee Recognition Committee presented the Employee of the 4th Quarter 2018 to Charles Root of the Department of Social Services and the Employee of the Year 2018 to Sheri McCall of the Tioga Career Center. "Good afternoon, Chair Sauerbrey, County Legislators, Commissioner Yetter, leaders, employees and friends of the Tioga County Team. On behalf of the Tioga County Employee Recognition Committee, it is my honor today to present the award for the County Employee of the Quarter for the 4th Quarter of 2018 and the Employee of the Year for 2018.

"Before we present these awards I would first like to thank the Legislature for the steadfast support you continue to show through the Committee's work in recognizing our outstanding employees. Now we would like to recognize our Employee of the Quarter for the 4th Quarter of 2018, Charles Root, Welfare Management Systems Coordinator.

"Charles started with Tioga County in May of 2006 as a Seasonal Clerk. In August 2007 he became a Senior Data Entry Machine Operator and in July of 2012 he was promoted to Welfare Management System Assistant. He was promoted to his current position of Welfare Management Systems Coordinator in January of 2014. Charles has many responsibilities in this position. They include maintaining State user accounts for DSS employees, maintaining State equipment including printers, scanners, monitors and computers, overseeing user administrative and a variety of State applications, writing custom reports both from State systems using Cognos 11 and for County system with data from Munis, supervising Systems Department for DSS and the Mail Clerks, and writing custom data bases in Access and maintaining existing data bases.

“Now during 2018 Charles played a key role in the implementation of new electronic Case Management System, Northwoods for the Child and Family Services Division of DSS. He managed the purchase and deployment of iPads for 30 case work staff. He has been a vital part in the development of this Case Management System, frequently fielding calls and trouble shooting issues, and often working late into the evening to test data feeds to ensure the program would be ready for Caseworker use the following day. The work that Charles has done throughout the deployment of this system does not only impact Tioga County. There is a lot of continuous impact as the System is activated in other counties throughout New York State.

“Charles routinely goes above and beyond, putting in whatever extra time and effort needed to support DSS personnel. He is proactive and diligent in his efforts to quickly resolve any and all issues that come his way. His positive, helpful and humble attitude has earned him the appreciation and admiration of all he comes in contact with. Charles is married to his wife Melissa and they have two girls, 7-year-old Abigail and 4-month-old Emma. He enjoys outdoor activities such as hiking and camping and in the cooler months, he enjoys some indoor activities such as like video games and watching Netflix. He serves as Chairman of the Administrative Board of Lakeview Chapel and he became an Eagle Scout in 2001.

“It is because of all that he does in support of the DSS mission and how well he does it that the Employee Recognition Committee has selected Charles as Tioga County’s Employee of the Quarter for the 4th Quarter of 2018. In addition to his plaque Charles will receive a \$50 honorarium and his name will be added to the plaque outside listing past winners.”

Legislator Standinger spoke. “Charles I just want to thank you for taking care of business for Shawn and Gary and the rest of the citizens of the County. Congratulations on having two daughters, one more and you can catch me. What you do for the County is something good. That Northwoods program is pretty time consuming from what I understand, the implementation. I am glad you were there to do it. Congratulations.”

Shawn Yetter, Commissioner of Social Services spoke. “I did not know Charles did so much until it was read. I do not have a lot more to add because that was a wonderful write up about the work that Charles does. Charles is extremely worthy of this award, especially over the last year or more, which was mentioned as he has been so instrumental in leading the successful implantation of the technology side of the Northwoods product in our Services Division and then working in close coordination with all of the Services’ staff on the program side. He has facilitated this project very smoothly and it was also referenced that we are one of only three counties that are fully operational with this at this point

and we are actually ahead of the other two, so it is something that is being watched and he is responding to and talking to a lot of other counties about it.

"The one thing about Charles that I will add to what has been said is how he responds and reacts to issues and concerns immediately in our Department. We are very lucky to have immediate IT staff available for us. His calm demeanor allows staff to want to enjoy working with him. Sometimes IT issues turn people away. He never makes the user feel clueless including me and he just fixes the problem and teaches us along the way, and hopes that we will not have to call him again on the same issue. Finally, in addition to be an excellent supervisor over IT functions at DSS, Charles is an exemplary human being with strong effects and strong faith, and a beautiful young family. This is well deserved Charles and on behalf of all the staff congratulations."

Charles Root spoke. "I will not give a 20 page speech that I was told to write up. I just want to say thank you first of all to Shawn and Gary for coaching and mentoring me along the way. It is awesome to have such great administrative staff over you that can really help you along the way and they back you up. I want to thank the Legislature for this program for continuing it and supporting it, and ultimately for my staff, Amy really helps me out in various situations when I get stuck or we brainstorm our ideas. Thank you."

Steven Palinosky spoke. "Once again from the Employee Recognition Committee congratulations Charles. Thank you for all of your efforts and best wishes for continued success."

Steven Palinosky spoke. "Now we would like to recognize our Employee of the Year for 2018, Sheri McCall, Tioga Career Center Manager. I will go off script for just a second here to let you guys know that with turnover we missed one quarter, but the three employees of the quarter for last year were all top notch. It was a heck of a decision to pick one to be the Employee of the Year. We would have loved to have given them all Employee of the Year.

"Sheri started as an employee, a Training Assistant in February of 1998. She was promoted to Employment Training Counselor in August of 1999, again promoted in May of 2005 to Senior Employment Training Counselor. In September of 2007 she became Manager of the Tioga Employment Center, which is now known as the Tioga Career Center. In this position she leads the Career Center in the invaluable task of helping the residents of the County find gainful employment and of helping area employers find good workers. She is passionate about her work, always willing to go above and beyond to help those who come to the Career Center for assistance. Her caring and diligent leadership is evident in the superb service that she and her Team provide to the public.

"Sheri is the driving force in organizing and executing Tioga County job fairs, which the next one coming up, the fifth annual Tioga County Job Fair will be held on March 6th. Here is an example of what Sheri can do and some of you might remember this from before. In December of 2017 the unexpected closing announcement of the Owego Sanmina Plant. She had just three days to promote and put together a special career fair for both Sanmina employees and the general public, which reached 8500 people with over 30 employers looking to hire and now also thanks to her efforts the Career Center is gaining momentum as a place that employers, for them to be able to interview candidates and hold new hire orientations, and employers are now requesting to come monthly to hold recruitment for open positions.

"Outside of work Sheri likes spending time at home with her dog Shadow. She works on house projects and as a matter of fact she might be taking a little vacation time at Ye Olde Country Florist. The second children's book is still in progress and her first children's book is titled "A Boy, A Bear and A Bump in the Night" and for those of you who were not here for the last time you can find it online at Amazon and Barnes and Noble, but Sheri recommends you get it hard cover and paperback at Ye Olde Country Florist and Riverrow Books has it in paperback. It is because of all that she does in support of the Tioga County community, her patience and compassion and her conduct, and her superb leadership at the Career Center, the Employee Recognition Committee has selected Sheri McCall as Tioga County's Employee of the Year for 2018. In addition to the plaque, Sheri will receive a \$250 honorarium and her name will be added to the plaque listing past winners as located by the entrance to the Auditorium."

Legislator Standinger spoke. "First of all let me tell you I have been to a lot of these job fairs that she has organized and they have been pretty good events. They even tried to hire an old guy like me, but since I am retired I declined. I know the effort that she puts in and it is well appreciated by most that attend. I stopped over a week or two ago, I really was not sure what went on at the Job Center and I talked with Sheri for quite a while, and it is like a beehive in there. Everybody is talking to each other to get jobs for people and that is something that is great that happens here. My guess is that it does not work that well in some of the other counties, but as a result of her dedication it works well here. I want to thank you Sheri."

Shawn Yetter, Commissioner of Social Services spoke. "It seems like we just did this. Once again Sheri is a very worthy choice for Tioga County's Employee of the Year. Sheri is a very hard working nonsense employee who comes to work to get the job done. She has high expectations and provides the support needed for her staff and her customers to meet their expectations. One of Sheri's biggest challenges is protecting Tioga County's needs considering we are part of a two-

county workforce board and Sheri does that very well. At the end of the day Tioga County is always fairly represented both budgetarily and programmatically, and that is due to Sheri's knowledge level and long history in working with workforce issues, and it is also a credit to the years it takes to build positive relationships with the folks both in Broome County and at the State. Sheri thank you for all you do and congratulations."

Sheri McCall spoke. "It seems like déjà vu all over again. We are a Federal grant program that is through the US Department of Labor that is administered by the State Department of Labor and delivered through a County Government system, but I could not do it if I did not have the resources available through Tioga County. We operate both with Department of Labor and Workforce, and we have to know and engage with our mandatory partners to deliver services, and we could not do that without Department of Social Services, our County Veterans' organizations, Mental Health and just a myriad of other County resources in order to make it a one stop for people coming in to get services so we can provide services and referrals out. I could not do the job fair if it wasn't for the Tioga County Business Services Team, that is the Chamber, Economic Development, Tioga County Government, my IT guys and this is why I appreciate IT guys so very much. All of that put together makes me look good and we do our best to step out of the shadows to the east of us. I think we are doing well and making our name known and becoming more of a player in the Broome-Tioga Workforce.

"I was stunned the first time I got third quarter Employee and I was flabbergasted as I walked out and saw a line of people telling me we have given you Employee of the Year. I am truly honored and grateful for this privilege. In 2 years, 9 months and 3 days you can have a retirement party."

Steven Palinosky spoke. "Once again from the Employee Recognition Committee congratulations Sheri. Thank you for all your efforts and best wishes for the next two years. I would like to thank everybody for coming out. Congratulations again to Charles and Sheri."

Legislative Standinger read and presented the following Proclamation on Cancer Prevention Month to Denis McCann of the Public Health Department.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Cancer is the second leading cause of death in Tioga County;
and

WHEREAS: The leading types of cancer deaths in the county are lung, prostate, breast, and colorectal cancer; and

WHEREAS: Individuals can decrease their risk for developing these types of cancer by staying at a healthy weight, exercising regularly, eating a balanced diet, avoiding tobacco and limiting alcohol intake; and

WHEREAS: Getting regular screening tests for cancer can detect certain types of cancer in earlier stages before they have grown or spread; and

WHEREAS: Tioga County Public Health will be working with local schools, businesses, and community partners through the five year Community Cancer Prevention in Action Grant geared toward cancer prevention efforts; and

WHEREAS: Continued education can help individuals know the early signs and symptoms of certain types of cancer and accessible locations for screenings can help increase the number of individuals who are getting regular cancer screenings, therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the month of February 2019 as:

CANCER PREVENTION MONTH IN TIOGA COUNTY

and encourages Tioga County residents to live a healthy lifestyle and to speak with their primary care physician about the recommended cancer screenings that they should receive.

Legislator Standinger spoke. "Now that being said I got to experience the effects of cancer on an individual, that being my father. He had non-Hodgkin's lymphoma and leukemia. I will tell you the treatments are pretty traumatic. Anything you can do to avoid going down that road is a good thing."

Denis McCann, Director of Administrative Services for Public Health spoke. "On behalf of Public Health I want to thank you for supporting our efforts toward cancer prevention and education. Public Health is focused on what we call the three Ts. Prevent, efforts to prevent disease and illness, try to promote healthy lifestyles to prevent those diseases, and we do protection to prevent people from getting diseases.

"I stand before you as a person currently in a battle with cancer. Five years ago this month I was diagnosed from a cancer screening in what turned out to be a diagnosis of stage IV cancer per Sloan-Kettering. Without this screening I would not be here today. Screenings work, screenings save lives, but to be honest and on a personal note I would like to take this opportunity

to share that my cancer screening identified my cancer, but I believe that I am here because of my faith and belief in a God that is in the healing business. You will be seeing a resolution next month where we actually have an award for funding as part of a cancer prevention grant that we will be appropriating next month. Thank you again."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of January 2, 15 and 24, 2019, seconded by Legislator Roberts and carried.

Legislative Clerk read the following letter from Public Defender George Awad and such will be filed in the Legislative Office.

"I am the sole owner of 171 Main Street, Owego, New York that Tioga County shall be renting from me for the official duties and the location for the Tioga County Public Defender's Office.

"If you have any further questions, please contact me."

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRING TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 44-19 *APPROPRIATION OF FUNDS INTEROPERABLE COMMUNICATIONS FORMULA GRANT 2018 AND AMEND 2019 BUDGET EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security has issued a 2018 Statewide Interoperable Communications Formula-Based Grant to Tioga County which will be used for upgrading the radio communications in the county; and

WHEREAS: The Tioga County Office of Emergency Services was authorized to apply for said grant by Resolution #186-18; and

WHEREAS: The Tioga County Office of Emergency Services has been awarded said grant in the amount of \$450,221 and said funds need to be appropriated; therefore be it

RESOLVED: That the grant funds be appropriated and the 2019 budget be amended as follows:

FROM:	A3415 433063 IO18F – State Aid Interop Comm Grant	\$450,221
TO:	A3415 540140 IO18F Contracted Services	\$ 50,000
	A3415 520230 IO18F Radio & Equipment	\$400,221

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO:	PUBLIC WORKS COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 45-19	<i>RE-ESTABLISH PRIOR YEAR 2018 PREVENTIVE BRIDGE PROGRAM FOR 2019</i>
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WHEREAS: Prior Year Funds need to be re-established for the remaining unspent balance as of year-end 2018 for purchase or completion in 2019; therefore be it

RESOLVED: That the following accounts and amounts are re-established and the 2019 budget is amended for Phase 4 of the Bridge Preventive Maintenance Program:

<u>Preventive Maintenance Bridge Program Phase 4</u>	<u>Amount to Re-Establish</u>
D5110 540050 County Roads -Bridge Maintenance	\$240,000.00
D5110 445020 County Roads -Federal Aid 80%	\$192,000.00

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 47-19 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from the New York State Department of Health; and

WHEREAS: The funding is designated for Public Health program related expenses; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4011 434010 Public Health: State Aid	\$22,000
To: A4011 520130 Public Health: Equipment	\$ 5,000
A4011 540640 Public Health: Supplies	\$17,000

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 48-19 AMEND BUDGET AND APPROPRIATE BOND RESERVE FUNDS FOR BRIDGE PROJECTS

WHEREAS: The Commissioner of Public Works has deemed that 2019 Bridge Project funded through the 2013 Bond Act need to be added to the originally submitted 2019 Budget; and

WHEREAS: The Treasurer's Office has declared there is still Bond Act Money available for a project during the 2019 Construction Season, in which there is \$636,000 approximately available in the Capital Bond Reserve Account; and

WHEREAS: The Commissioner of Public Works has identified one bridge in need of replacement; Halsey Valley Road Bridge; and

WHEREAS: Budget Amendments require Legislative approval and Capital Reserve funding requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From:

Capital Bond Reserve Account H 387806	\$636,000
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To:

H51 10 540002 H1905	Halsey Valley Road Bridge	\$636,000
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ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 49-19 *AMEND RESOLUTION NO. 33-19
ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: Resolution 33-19 was adopted on January 15, 2019 to correct an erroneous assessment in the Town of Spencer; and

WHEREAS: Resolution 33-19 needs to be amended to change the amount of erroneous village tax charged back to the Village of Spencer from \$93.44 to the correct amount of \$87.33; therefore be it

RESOLVED: That Resolution No. 33-19 be hereby amended to change the amount of Village tax charged back to the Village of Spencer from \$93.44 to the correct amount of \$87.33; and it be further

RESOLVED: That the remainder of Resolution 33-19 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following five resolutions, all on erroneous assessments, passed as one, seconded by Legislator Hollenbeck and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 50-19 *ERRONEOUS ASSESSMENT
TOWN OF SPENCER*

WHEREAS: An application for Corrected Tax Roll for the year 2019 indicates that parcel #68.07-2-11 Account #1259 in the Town of Spencer assessed to Presbyterian Manse on the 2019 tax roll is erroneous in that the Village of Spencer produced a bill for Presbyterian Manse, and returned it to the County Treasurer as unpaid; and

WHEREAS: The County Treasurer's Office relieved the returned 2018 Village Tax on the 2019 Tax Roll of the Town of Spencer; and

WHEREAS: Presbyterian Manse contested their 2019 bill, claiming they were wholly exempt from Village taxes to the Village of Spencer; and

WHEREAS: The Village of Spencer provided sufficient proof that a clerical error was made and a Village tax bill should not have been produced for parcel #68.07-211, as it should have been wholly exempt; be it therefore

RESOLVED: That Bill #237, produced for Presbyterian Manson, in the Town of Spencer be rendered null and void; and be it further

RESOLVED: That the erroneous returned village tax of \$330.56 be charged back to the Village of Spencer; and it be further

RESOLVED: That the erroneous County Penalty of \$23.14 be charged back to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE COMMITTEE

RESOLUTION NO. 51-19

*ERRONEOUS ASSESSMENT
TOWN OF NEWARK VALLEY*

RESOLVED: That a refund be issued to Rose Marie and David M. Stacks by the Tioga County Treasurer's Office, and mailed to 604 Gates Road Vestal, NY 13850, as follows:

	Original Bill	Corrected Bill	Refund
County	\$ 118.06	\$ -	\$ 118.06
Recycle	\$ 5.45	\$ -	\$ 5.45
Town Wide	\$ 53.24	\$ -	\$ 53.24
Part Town	\$ 1.67	\$ -	\$ 1.67
Fire	\$ 21.49	\$ -	\$ 21.49
Total	\$ 199.91	\$ -	\$ 199.91

And be it further

RESOLVED: That the erroneous county tax of \$118.06 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$5.45 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$54.91 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Fire Tax of \$ 21.49 be charged back to the Newark Valley Fire District; and be it further

RESOLVED: That the Town and County Tax bill #1723 for 2017 be rendered null and void.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standingier.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 54-19 *ERRONEOUS ASSESSMENT
TOWN OF NEWARK VALLEY*

WHEREAS: An application for corrected tax roll indicates that parcel #65.00-1-41, Account # 1627 assessed to Rose Marie and David W. Stack on the 2019 tax roll of the Town of Newark Valley is an invalid parcel; and

WHEREAS: 65.00-1-41 is an invalid parcel because it was combined with parcel #65.00-1-21.211 on the 2016 tax roll; be it therefore

RESOLVED: That the erroneous county tax of \$122.41 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous solid waste tax of \$7.25 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous town tax of \$55.65 be charged back to the Town of Owego; and be it further

RESOLVED: That the erroneous Fire Tax of \$ 24.22 be charged back to the Newark Valley Fire District; and be it further

RESOLVED: That the Town and County Tax bill #1737 for 2019 be rendered null and void.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standingier.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standingier.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 55-19 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Maintenance Project (2019), PIN 9754.29 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering/Design work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$40,000 is hereby appropriated from the Bridge Projects Account D5110.400050; and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 56-19 *AUTHORIZE TIOGA COUNTY SUSTAINABILITY MANAGER TO APPLY FOR STATE ASSISTANCE FROM THE STATE'S ELECTRONIC WASTE AND HOUSEHOLD HAZARDOUS WASTE GRANT ASSISTANCE PROGRAM*

WHEREAS: The State of New York announced financial aid through their Electronic Waste and Household Hazardous Waste Assistance Grants to assist counties and local governments with electronic waste recycling and household hazardous waste disposal expenses; and

WHEREAS: Through these grants Solid Waste would be reimbursed 50% of their eligible costs of electronic waste recycling and household hazardous waste disposal expenses; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sustainability Manager to apply and administer said grants.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 57-19 *APPOINT MEMBERS ALTERNATIVES TO
INCARCERATION ADVISORY BOARD*

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/19-3/31/20
Crime Victim	4/1/19-3/31/20
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/19-3/31/20
Rep for Private Organization within County Ann Domingos- Trinity of Chemung, Livingston, Bradford	4/1/19-3/31/20

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 58-19 *APPOINT MEMBER TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT CORPORATION BOARD*

WHEREAS: The Tioga County Legislature wishes to appoint Christina Brown as a Board Member to the Tioga County Property Development Corporation Board Member for a three year term of 1/1/19-12/31/21; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that each board member be a public officer of a municipality within Tioga County or a member of a County Agency and their membership is conditioned on upon holding the public office by their position as Financial Director at Tioga Opportunities, Inc.; and

WHEREAS: Christina Brown is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Christina Brown, Financial Director, Tioga Opportunities, Inc. to the Tioga County Property Development Board Corporation as a Board Member for a three year term of 1/1/19 – 12/31/21.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 59-19 *APPOINT MEMBER TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT CORPORATION BOARD*

WHEREAS: The Tioga County Legislature wishes to appoint David Astorina as a Board Member to the Tioga County Property Development Corporation Board Member for a two year term of 1/1/19-12/31/20; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that each board member be a public officer of a municipality within Tioga County or a member of a County Agency and their membership is conditioned on upon holding the public office by their position as Board Member of the Tioga County Local Development Corporation; and

WHEREAS: David Astorina is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints David Astorina, to the Tioga County Property Development Board Corporation as a Board Member for a two year term of 1/1/19 – 12/31/20.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 60-19 APPOINT NEW YOUTH BOARD
MEMBERS TERM YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 29-16 and vacancies exist; now therefore be it

RESOLVED: That the following listed representatives be appointed as a member of the Tioga County Youth Board with the corresponding term of office as follows:

	<u>TERM</u>
Lauran Murphy (Replacing Marlaina Allen)	02/01/2019 – 12/31/2021
Becky Shuey (Filling Vacant Town of Owego)	02/01/2019 – 12/31/2021
Cheri Zlinsky (Replacing Tiffani Ruffle)	02/01/2019 – 12/31/2021

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 61-19 *RESOLUTION APPOINTING
NEW MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Francis Bialy has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Francis' appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Francis Bialy be appointed a new member to the Community Services Board, for term starting February 1, 2019 and ending January 31, 2023.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 62-19 *RESOLUTION APPOINTING
NEW MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Robert Williams has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Robert's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Robert Williams to the Community Services Board to fill the unexpired term of Dr. Keith Nichols, starting February 1, 2019 and ending March 31, 2021.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 63-19 RESOLUTION REAPPOINTING MEMBER TO COMMUNITY SERVICES BOARD

WHEREAS: Legislator William Standinger, III appointment to the Community Services Board will expire on March 31, 2019; and

WHEREAS: The Community Services Board has recommended Legislator Standinger’s reappointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Legislator William Standinger, III be reappointed to the Community Services Board, for term starting April 1, 2019 and ending March 31, 2023.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 64-19 *RE-APPOINT MEMBER TO THE TIOGA
COUNTY LOCAL DEVELOPMENT CORPORATION
(TCLDC)*

WHEREAS: The term of Tioga County Local Development Corporation member, Marcia Kiechle, will expire as of March 31, 2019; and

WHEREAS: Marcia Kiechle has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Marcia Kiechle for another three-year term of 4/1/19 – 3/31/22.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 65-19 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Jon Ward, will expire as of March 31, 2019; and

WHEREAS: Jon Ward has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Jon Ward for another three-year term of 4/1/19 – 3/31/22.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 66-19 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Sandra Layman, will expire as of March 31, 2019; and

WHEREAS: Sandra Layman has expressed a desire for re-appointment to serve another term; therefore be it

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 68-19 *RESOLUTION TO APPROVE A SOLE SOURCE CONTRACT AND MAINTENANCE AGREEMENT BETWEEN THE TIOGA COUNTY PROBATION DEPARTMENT AND AUTOMON LLC TO PROVIDE SOFTWARE AND MAINTENANCE OF THE CASELOAD EXPLORER PRODUCT*

WHEREAS: The Tioga County Legislature has approved contracts between Tioga County Probation Department and AutoMon LLC since 2008; and

WHEREAS: AutoMon LLC has changed their contract status with New York State, the Tioga County Legislature is approving that the Probation Department can contract with AutoMon LLC as a sole source provider of Caseload Explorer, a software program that meets the qualifications of 9 NYCRR 345, which newly mandates Probation Departments to use a software program that automatically sends Presentence Investigation completed in the software program to the PSI Repository in Albany. Caseload Explorer software is the only software in New York State that meets this criteria; and

WHEREAS: AutoMon, LLC has submitted their yearly Maintenance Agreement to Tioga County Probation which consists of the base charge of \$4,358.95 plus a fee of \$213.47 per user. Probation has 17 registered users of the software, so the total cost for basic software maintenance for 2019 is \$7,987.94; and

WHEREAS: AutoMon, LLC has agreed to credit Tioga County Probation for 50% of the yearly Maintenance Agreement for Ce Assessments in the amount of \$2,625.00 and will not charge Tioga County for the cost of the product in 2019; therefore be it

RESOLVED: That the Probation Director is approved to contract with AutoMon, LLC as a sole source provider for software and maintenance costs in 2019 for Caseload Explorer and Ce Assessments in the amount of \$5,362.94.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 69-19 *APPLY FOR INDIGENT LEGAL SERVICES GRANT*

WHEREAS: The New York State Office Of Indigent Legal Services has made available to Tioga County a three year, non-competitive grant totaling \$123,804.00 to improve the quality of Indigent legal services provided under Article 18-B of the County Law; and

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals; and

WHEREAS: The grant funds will be used:

1. To continue to fund the position of Part-Time Paralegal plus Fringe for the Family Court Public Defender's Office.
2. To Continue to partially fund the positions listed below :
 1. Chief Public Defender
 2. Family Court Public Defender
 3. Part-time First Assistant Public Defender
 4. Part-time Second Assistant Public Defender
 5. Part-time Secretary for the Family Court Public Defender
3. To partially fund the on-line research tool for the Public Defender's Office.
4. To partially fund Investigative, Expert Witness, Transcripts, Training for the Family Court Public Defender's Office.
5. To restore funding for Assigned Counsel Office Supplies, Postage and Copies.

Therefore be it

RESOLVED: That the Assigned Counsel Administrator be authorized to submit the appropriate grant application for the purpose of securing this funding.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 70-19 *AMEND EMPLOYEE HANDBOOK ADD
NEW POLICY TO SECTION III FINANCIAL
RULES SUBSECTION M. ENTITLED TIOGA
COUNTY FUND BALANCE POLICY*

WHEREAS: it has been determined that Tioga County needs to adopt a Fund Balance Policy; and

WHEREAS: Said Fund Balance Policy shall fall under Section III Financial Rules subsection m; therefore be it

RESOLVED: That the Employee Handbook is hereby amended to add a new Fund Balance Policy to Section III Financial Rules subsection m entitled Tioga County Fund Balance Policy as follows:

**Tioga County
Fund Balance Policy**

Purpose

Tioga County government is responsible for the appropriate accounting of public funds, the sound management of municipal finances, and the adequate funding of services. The fund balance policy will help the County maintain a sound and stable level of financial resources to provide essential services, maintain sufficient cash flow, and manage unanticipated occurrences.

The fund balance policy should provide fluidity and flexibility for changing factors such as economic climate, tax base, volatility in revenue sources, and fiscal restraints placed on the county from state and federal budgets and regulatory mandates.

Background

The New York State Office of the State Comptroller and the New York State Government Finance Officers Association recommend that local governments establish a policy to maintain reasonable levels of unexpended surplus funds in their General Funds to hedge against unanticipated expenditures and/or revenue shortfalls, without withholding funds that could otherwise be put to productive use.

Definitions

The Governmental Accounting Standards Board (GASB) issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, which is intended to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied.

Restricted Fund Balance consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments, or through constitutional provisions or enabling legislation.

Committed Fund Balance consists of amounts that are subject to a purpose constraint imposed by a formal action of the County Legislature before the end of the fiscal year, and that require the same level of formal action to remove the constraint. The New York State Office of the State Comptroller believes that in most cases, local governments in New York will not have committed fund balance to report.

Assigned Fund Balance consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund, and in funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.

Policy

1. This policy shall apply to the County's General Fund, only.

2. The County Legislature will assess the current financial condition of the County and then determine the order of application of expenditures to which fund balance classification will be charged.
3. The County Legislature is the decision-making authority that can, by resolution, commit fund balance. The action to commit fund balance must occur prior to the fiscal year-end in order to report such commitments in the financial statements of the respective period. The commitment may only be modified by a new resolution authorized by the County Legislature.
4. The County Treasurer has the authority to assign unrestricted fund balance amounts where the County's intent is for those amounts to be used for specific purposes. This delegation of authority is for the sole purpose of reporting these amounts in the annual financial statements.
5. Unexpended Surplus Funds
 - a. For the purpose of this policy, unexpended surplus funds consist of unappropriated and unassigned Fund Balance.
 - b. The County shall strive to maintain unexpended surplus funds of not less than 12% and not more than 28% of General Fund adopted budget appropriations.
 - c. The County Treasurer shall report the amount and percentage of General Fund unexpended surplus funds to the Finance Committee upon completion of the Annual Update Document each year.
 - d. In the event that unexpended surplus funds exceed 28% of adopted budget appropriations, the excess may be utilized for any lawful purpose approved by the Legislature. In order to minimize the long-term effect of such use, the excess should be appropriated to fund one-time expenditures, which do not result in recurring operating costs, and/or be used to establish or increase reserves.
 - e. In the event that unexpended surplus funds fall below 12% of adopted budget appropriations, the County Treasurer shall make a recommendation to the Finance Committee to restore the balance to a minimum level in the ensuing budgetary cycles.
 - f. The County Legislature can, by resolution make changes to the established Fund Balance Policy as a direct result of periodic reviews of any financial reports, plans, economic predictors or tax implications to property taxpayers.

Review

This policy shall be reviewed by the Finance Committee on an annual basis. Periodic review and reporting shall be conducted and provided for Reserve Account Balances, Cash Flow Analysis, County 5 Year plans and Fund Balances to the County Legislature annually.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 71-19 *DEFERRED COMPENSATION EXTENSION
AGREEMENT*

WHEREAS: Tioga County currently uses the services of Nationwide Retirement Solutions to administer the deferred compensation program, 457 plan, available to all employees; and

WHEREAS: The contract with Nationwide Retirement Solutions expires on March 8, 2019; and

WHEREAS: The County has the option of renewing the contract for an additional one year period; and

WHEREAS: All terms and provisions of the original contract will remain in full force and effect; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Legislative Chair to execute the necessary documents, subject to review by the County Attorney, to extend the services of Nationwide Retirement Solutions as our deferred compensation administrator for the period of March 8, 2019 through March 8, 2020.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck introduced Local Law Introductory No. A of 2019.

County of Tioga

Local Law No. XX of the Year 2019.

A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2020 and continuing through and including December 31, 2023.

Be It Enacted by the Legislature of the County of Tioga as

follows: SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public offices of County Clerk and County Sheriff shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for the Offices of County Clerk and County Sheriff for the four-year term of office commencing January 1, 2020 and continuing through and including December 31, 2023.

SECTION 2: ANNUAL SALARY

A) The annual salary for the Offices of County Clerk and County Sheriff for the term of office beginning January 1, 2020 and continuing through and including December 31, 2023 is hereby established as follows:

- 1. County Clerk \$70,561
- 2. County Sheriff \$92,962

SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2020.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 72-19 *SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. A OF 2019*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. A of 2019 A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2020 and continuing through and including December 31, 2023 in the Legislative Conference Room of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, February 21, 2019 at 10:00 A.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standingier.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 73-19 *AUTHORIZE POSITION RECLASSIFICATION AND APPOINTMENT PUBLIC DEFENDER*

WHEREAS: Legislative approval is required for any position reclassification within Tioga County; and

WHEREAS: Due to recent restructuring within the Public Defender's office there is a need to reclassify a part-time position based upon the needs of the office; and

WHEREAS: Currently a second position of Secretary to the Public Defender (pending jurisdictional classification; non-union, \$12.25 - \$12.56 per hour) exists and is filled on a part-time basis by an incumbent (Stacy Reynolds); and

WHEREAS: Upon review, the Personnel Officer has determined the title of Paralegal (PT) (non-competitive; non-union, \$16.17 - \$16.57 per hour) is the most appropriate classification; therefore be it

RESOLVED: That effective February 16, 2019, the part-time position of Secretary to the Public Defender shall be reclassified to Paralegal (PT); and be it further

RESOLVED: That effective February 16, 2019, Stacy Reynolds shall be appointed as Paralegal (PT) at the 2019 hourly base rate of \$16.17 per hour.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 74-19 REAPPOINTMENT OF COUNTY HISTORIAN

WHEREAS: Emma Sedore was first appointed Tioga County Historian on November 13, 2001; and

WHEREAS: She is a dedicated Historian; and

WHEREAS: Her term is set to expire March 31, 2019; therefore be it

RESOLVED: That Emma Sedore of Owego, New York, is hereby reappointed County Historian for a two-year term from April 1, 2019 until March 31, 2021.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. "I just want to say as part of this discussion, Emma Sedore has been our County Historian. She does an amazing job. She is a vital part of the history of our community and I just appreciate what she does for us."

Legislator Standing spoke. "If I can add to that, she is very dedicated to her duties."

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 75-19 ABOLISH VACANT FULL TIME SOCIAL WELFARE
EXAMINER AND CREATE FULL TIME COMMUNITY
SERVICES WORKER
SOCIAL SERVICES

RESOLVED: That the vacant position of Supervising Psychiatric Social Worker be abolished and the position of Deputy Director of Community Services (Non-Union \$68,000-\$78,000) be created with permission to fill effective February 19, 2019; and be it further

RESOLVED: That Sarah Begeal be provisionally appointed to the Deputy Director of Community Services position effective February 19, 2019 at an annual salary of \$72,941.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolution considered, seconded by Legislator Mullen and carried with Legislator Sullivan being absent.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL & SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 77-19 *AUTHORIZE SALARIES FOR STAFF REORGANIZATION
(LAW DEPARTMENT)*

WHEREAS: The County Attorney has determined a reorganization of staff is best for the Department; and

WHEREAS: Legislative approval is required for all Non-union salaries; therefore be it

RESOLVED: That effective February 19, 2019, John Van Wert shall move from 2nd Assistant County Attorney to 1st Assistant County Attorney at an annual salary of \$92,000 and Christian Root shall move from 1st Assistant County Attorney to 2nd Assistant County Attorney at an annual salary of \$80,827.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standingier.

No – None.

Absent – Legislator Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:34 P.M.

*Public Hearing
Local Law Introductory No. A of 2019
February 21, 2019*

The Public Hearing on Local Introductory No. A of 2019 A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2020 and continuing through and including December 31, 2023 was called to order by the Chair at 10:01 A.M. Seven Legislative members were present with Legislators Monell and Sullivan being absent.

There were 4 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Chair Sauerbrey spoke. "This is for the annual salary of the County Clerk and the Sheriff, and we agreed that the County Clerk was \$70,561 and the Sheriff was \$92,962."

There being no further comments, the hearing was adjourned at 10:03 A.M.

County of Tioga

Local Law No. 1 of the Year 2019.

A Local Law establishing the salary for the Offices of County Clerk and County Sheriff for the four year term of office commencing January 1, 2020 and continuing through and including December 31, 2023.

Be It Enacted by the Legislature of the County of Tioga as

follows: SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public offices of County Clerk and County Sheriff shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for the Offices of County Clerk and County Sheriff for the four-year term of office commencing January 1, 2020 and continuing through and including December 31, 2023.

SECTION 2: ANNUAL SALARY

A) The annual salary for the Offices of County Clerk and County Sheriff for the term of office beginning January 1, 2020 and continuing through and including December 31, 2023 is hereby established as follows:

- | | |
|-------------------|----------|
| 1. County Clerk | \$70,561 |
| 2. County Sheriff | \$92,962 |

SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2020.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Mullen, Sauerbrey, Roberts and Standingier.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Standingier moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 79-19 *AMEND RESOLUTION 76-19, ABOLISH/CREATE POSITION (MENTAL HYGIENE)*

WHEREAS: Resolution 76-19 authorized the creation and filling of the Deputy Director of Community Services position effective February 19, 2019; and

WHEREAS: The effective date of appointment was not consistent with payroll procedures; therefore be it

RESOLVED: That Resolution 76-19 is hereby amended to reflect that the vacant position of Supervising Psychiatric Social Worker be abolished and the position of Deputy Director of Community Services (Non-Union \$68,000-\$78,000) be created with permission to fill effective February 16, 2019; and be it further

RESOLVED: That Resolution 76-19 be amended and that Sarah Begeal be provisionally appointed to the Deputy Director of Community Services position effective February 16, 2019 at an annual salary of \$72,941.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 80-19 *AMEND RESOLUTION 77-19, AUTHORIZE SALARIES FOR STAFF REORGANIZATION (LAW DEPARTMENT)*

WHEREAS: Resolution 77-19 authorized the salaries for staff reorganization within the Law Department effective February 19, 2019; and

WHEREAS: The effective date of appointment was not consistent with payroll procedures; therefore be it

RESOLVED: That Resolution 77-19 is hereby amended to reflect that effective February 16, 2019, John Van Wert shall move from 2nd Assistant County Attorney to 1st Assistant County Attorney at an annual salary of \$92,000 and Christian Root shall move from 1st Assistant County Attorney to 2nd Assistant County Attorney at an annual rate of \$80,827.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Mullen, Sauerbrey, Roberts and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:08 A.M.

Public Hearing
Annual Agricultural District Inclusion
March 7, 2019

The Public Hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2019 was called to order by the Chair at 1:01 P.M. Seven Legislative members were present with Legislators Monell and Standinger being absent.

There were 9 people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Zackary Baker of the Economic Development & Planning Department spoke. "This year we received two requests from the Town of Tioga and the Town of Newark Valley for 74 acres of active agricultural land to be added to our County Ag District. The land is currently being used for grain and maple syrup production so it is viable agricultural land. The Ag and Farmland Protection Board has met and recommends to the County Legislature that this modification be approved."

There being no further comments, the hearing was adjourned at 1:03 P.M.

Third Regular Meeting
March 12, 2019

The Third Regular Meeting of 2019 was held on March 12, 2019 and was called to order by the Chair at 6:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Balliet to have a moment of prayer. "Let us pray. Our Heavenly Father we ask for your blessing upon all who have gather here this evening. We thank you for your support and inspiration as the Legislature has endeavored to meet the needs of the residents of Tioga County and we pray for your guidance as the Legislature continues to face the challenges in the present and in the future. Lastly, we ask that through your love and caring that you help all Americans focus not on what divides us but on what brings us together as a Nation, a Nation that is a beacon of hope in our world. We ask this in your name and honor."

Legislator Balliet led all Legislators and those in attendance in the Pledge of Allegiance.

There were 21 people in attendance.

Legislator Mullen read and presented the following recognition resolution on Cindy Iannone of the Sheriff's Department and presented to the Sheriff.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 81-19	<i>RESOLUTION RECOGNIZING CINDY IANNONE'S 18 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

WHEREAS: Cindy Iannone was appointed as a Corrections Officer on 8/12/00; and

WHEREAS: Cindy Iannone has been dedicated and loyal in the performance of her duties and responsibilities during the past 18 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Cindy Iannone will retire from the Tioga County Sheriff's Office on February 28, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Cindy Iannone for her more than 18 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Cindy Iannone.

ROLL CALL VOTE

Unanimously Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "Cindy is not here, but Sheriff Howard has come up and wants to say a few words."

Sheriff Howard spoke. "Just real quick, Cindy was told about the meeting this evening and she asked me, she said "Do I have to come?" and I said you are retired you can do anything you want. She said well you can pick it up and get it to me. On behalf of Cindy Iannone I want to thank you for the Recognition Resolution. She was an outstanding employee and she certainly will be missed."

Chair Sauerbrey noted that we have three Proclamations for Public Health Week, National Nutrition Month, and Welcome Home Vietnam Veterans Day in Tioga County and Public Health Week and Welcome Home Vietnam Veterans Day in Tioga County will be noted.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: The people of Tioga County benefit every day from the efforts of the public health workforce when eating at restaurants, drinking tap water, and learning about prevention of diseases; and

WHEREAS: Public health activities protect Tioga County residents from infectious and chronic diseases, environmental and workplace hazards, unintentional injuries and violence; and

WHEREAS: Educating people about the benefits of healthy behaviors is an essential element in attaining good health and preventing premature illness and death; and

WHEREAS: Public health efforts alone cannot accomplish the goal of a healthier Tioga without cooperation and partnership with communities and individuals; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors by not using tobacco, making time for regular, safe physical activity and eating more fruits and vegetables in order to prevent disease; and

WHEREAS: National Public Health Week provides an opportunity for our county to learn about public health concerns and success stories that are vital to healthy communities, such as immunizing against infectious disease, maintaining good nutritional standards, ensuring safe living conditions, preventing lead poisoning and providing good prenatal care; and

WHEREAS: The residents of Tioga County recognize the essential role public health plays in their everyday lives; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of April 1 – 7 2019 as

PUBLIC HEALTH WEEK

And urges all residents to take steps to educate themselves, their families, and the community about the role of public health in our community.

Legislator Standinger read and presented the following Proclamation on National Nutrition Month to Lisa McCafferty, Public Health Director.

County of Tioga EXECUTIVE PROCLAMATION

WHEREAS: National Nutrition Month is an annual nutrition education and information campaign created by the Academy of Nutrition and Dietetics; and

WHEREAS: The type, quality, and amount of food that individuals consume daily plays a vital role in their overall health and physical fitness; and

WHEREAS: Data shows that nearly 30% of Tioga County residents report eating fruit less than one time per day; and

WHEREAS: There are key messages for everyone regarding their health and nutrition:

- Choose foods and drinks that regularly include a variety from all of the food groups, whether at or away from home.
- Be mindful of portion sizes. Eat and drink the amount that's right for you, as MyPlate encourages us to do.
- Keep it simple. Eating right doesn't have to be complicated.
- Reduce food waste by considering the foods you have on hand before buying more at the store.
- Find activities that you enjoy and be physically active most days of the week.
- Consult nutrition experts, if possible, for sound, easy-to-follow personalized nutrition advice to meet your lifestyle, preferences and health-related needs.

WHEREAS: During National Nutrition Month, help the Academy and Tioga County Public Health achieve its vision of a world where all people thrive through the transformative power of food and nutrition; therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim and designate the month of March 2019 as:

National Nutrition Month

and encourages Tioga County residents to make informed food choices and develop sound eating and physical activity habits.

Legislator Standinger spoke. "I guess I violate part of this because I like to eat. I got to have a vice and I figure that is better than drinking. I do eat good food, just too much of it."

Lisa McCafferty, Public Health Director spoke. "Thank you for your support of National Nutrition month. I guess the key thing I can say is just watch your portion sizes. It is okay to eat, it is just how much you eat. We have handy little plates if you would like to come over to the Health Department. Thank you very much."

PROCLAMATION
WELCOME HOME VIETNAM VETERANS DAY

WHEREAS: March 29, 2019 is National Vietnam War Veterans Day;
and

WHEREAS: More than 9 million men and women served during the Vietnam War with 2.7 million serving in Vietnam itself, and with 58,272 giving the ultimate sacrifice for their Country. Tioga County has 4,623 veterans living here in Tioga County, many of whom are Vietnam Era veterans; and

WHEREAS: To recognize their service and sacrifice and the failure of our nation to offer them proper respect and gratitude when they returned home at the end of the Vietnam War; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim

March 29, 2019 as

“Welcome Home Vietnam Veterans Day” in Tioga County

and encourages Tioga County citizens to honor Vietnam War Veterans Day in appreciation of our Tioga County Veterans who have served.

Chair Sauerbrey presented the State of the County Address for 2018 as follows:

“We look forward to this every year. This is an opportunity when I get to deliver the State of the County Address and so today we will begin. The original purpose of county governments was very straightforward. Counties built roads, protected residents and delivered social services programs. Today we do all of those things and more. From public health to public safety, from supporting local industries to delivering state programs, county government is constantly changing because of new influences, new technology and new mandates.

“Change is happening across our country, especially in workforce. The county has seen a significant increase in the number of retirements. The turnover keeps our Personnel Department busy recruiting, hiring and transitioning employees. Fortunately we saw this coming and took action. We developed and implemented a new program called “Institute for Advancement” and 19 of our employees participated in the program throughout last year. That program provided additional information and training to our employees who are striving to become leaders in county government. We will continue that program into 2019 as well.

“2018 was an outstanding year for the Veterans' Services Agency. They expanded their hours of service, developed new partnerships with community based providers, and can now do a better job of serving the mental health and substance abuse needs of our communities. The Tioga Career Center works

closely with the Veterans' Services Agency and for the third consecutive year the Tioga Career Center received the Veterans' Program Office Award from the New York State Department of Labor for their exemplary service to veterans. Last week the Tioga Career Center held their fifth successful job fair with over 100 businesses participating and all had jobs to offer.

"We saw a slight decrease in drug-related deaths compared to 2016 and 2017. The Tioga County Alcohol and Drug Services Department continues to be the primary provider of outpatient drug and alcohol services within the County. They have been on the front lines in dealing with negative impacts of opioid and opioid addictions. Trinity CASA also provides a varied amount of services to individuals and families in Tioga County. Grant funding from Senator Akshar and the Floyd Hooker Foundation has provided additional funding for these needed services.

"The Tioga County Allies and Substance Abuse Coalition continues to make good progress and last fall they were awarded a five year drug free communities grant. With support from the Community Services Board and the County Legislature Tioga County has made substance abuse prevention, treatment and recovery service a main focus.

"With the change in recent weather patterns the Public Works Department has been repairing roads, creeks and bridges that are affected when there is a serious weather event. They also work with our public safety agencies to ensure the safety of our citizens. Emergency Management, the Sheriff's Office and Public Works have had their hands full this year dealing with weather issues from flash flooding, ice and snow. Keeping people safe is also a responsibility of the Department of Social Services. Although they saw a decline in financial assistance needs, they experienced a serious spike in hotline calls. The challenges of today's society along with the abuse of drugs and alcohol is a major cause of concern for the safety and wellbeing of our children.

"The Public Health Department provided rabies clinics that inoculated close to 1300 animals this year. The Healthy Neighborhood Program is wrapping up its fifth year of a grant and through that program they provided many home visits to ensure safety from problems with pest management, home pollution and radon concerns. Our aging mobile dental van had a productive year providing several thousand dental services to children and adults throughout the County.

"The Law Department worked with Probation and other Departments regarding new New York Raise the Age legislation. Another challenge was addressing Counsel at First Arraignment. It took cooperation of Probation, Sheriff, Public Defender, District Attorney and the New York Office of Court Administration to accomplish this task. Working with the ILS Grant Administrator and the Public

Defender the Law Department secured funding through the New York State Office of Indigent Legal Services and we hired a full time Public Defender early this year. The County Jail will accommodate a centralized arraignment part Court.

"The District Attorney created the Traffic Diversion Program last year and took in almost 1500 applications and received close to \$400,000 in fees. These fees were shared with the local municipalities where the tickets were originated. Tioga County received \$250,000 through the program to offset expenses of operating the program.

"Last year I hosted many shared services meetings with our Village Mayors and our Town Supervisors. Shared services is a mandated program by the State to save tax dollars by sharing services. This is something that we have done for years and because of change in technology, we will share services with Towns and Villages for information technology and communication services. Municipalities can elect to have the County's IT Department manage their computer and technology infrastructure. This not only results in a significant upgrade in services for the entity, but it also reduces costs as much as 30%. The first municipalities coming on board are the Town of Owego and the Village of Waverly. Other communities may come on board in the future.

"Last year our Tioga County sales tax income increased 16.5% from 2017. That is the second highest in the State. Because we share our sales tax with Towns and Villages, municipalities benefited over \$6,000,000 in sales tax revenue for 2018. Income from Tioga Downs totaled \$1,300,000. Where are we currently spending your tax dollars? \$2,300,000 of our tax dollars went to community college tuition bill, that represents 10% of our County tax levy. This mandated program benefited less than 3000 County residents pursuing higher education. Further State mandates already take up 90% of our annual budget and the mandates keep coming. The cost of State mandates on County and New York City taxpayers is more than \$12,000,000,000 for just nine major State programs. That means our local taxpayers send \$1,000,000,000 a month to Albany with no funds going back to local needs. This year the Governor is proposing even more mandates on counties in this budget. These new mandates will lead to higher property taxes and they include requiring the County to restore Aid to Municipality funding through County tax dollars, not State tax dollars. An expansive election reform totally at County cost, a 3% across the board cut in local assistance if the State revenues estimate falls short, bail reforms that will likely increase costs and require our County to hire more people. We fully expect Albany to implement a mandated permanent tax cap as part of the State budget, however this Legislature will continue to keep taxes low and stay at the 2% tax cap, not because of a mandate, but because we want to do the right thing for our taxpayers.

“How do we address our financial needs and bring more income to the County, economic development. Economic development brings jobs, people, housing and opportunity. Economic development brings dollars to our community. Our Economic Development Department secured over \$13,000,000 in State and Federal grants last year that will benefit the communities of the Village of Owego, Spencer, Nichols, Newark Valley and Waverly. A report from the US Bureau of Economic Analysis states that the Tioga County gross domestic product from the years 2014 to 2015 showed an increase of 10.8%, which was the largest percent in the State of New York. Examples of progress and change in our communities is the renovation of Owego Parkview’s historical hotel and the construction of the Gateway building on Front Street. Last August the Village of Owego received a Downtown Revitalization Initiative grant for \$10,000,000 thanks to a large part to Team Tioga and our Economic Development Team of individuals. The DRI funding will support downtown revitalization through transformation of housing, economic development and community projects that will attract and retain residents, visitors and businesses.

“Last year the Tioga County Property Development Corporation or the Land Bank formally established and they received a \$500,000 Community Revitalization award. The goal is to maximize foreclosed properties to their best possible use and develop a Land Bank program that will demolish or rehabilitate properties to go back on the tax rolls. The first round of activity is nine properties have been identified in the Village of Waverly and three in the Village of Owego.

“Change is coming to New York in the form of agricultural development. A Federal Farm Act bill was passed in January that legalizes hemp. This has become a viable product for the agricultural market and there seems to be a lot of interest in Tioga County. As soon as Albany figures out the details marijuana will become legal in New York State.

“Change will always be with us. There is no question that we have much work to do, especially if we are to reach our full potential, however we should never forget how fortunate we are. Here in Tioga County we will continue to work together to build our foundation where people can live safely, raise their families and enjoy a healthy quality of life. Thank you.”

There was no Privilege of the Floor.

Legislator Monell made a motion to approve the minutes of February 12 and 21, 2019, seconded by Legislator Hollenbeck and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 82-19 *APPROPRIATION OF FUNDS
HAZARDOUS MATERIALS EMERGENCY
PREPAREDNESS(HMEP18)
MODIFY 2019 BUDGET
EMERGENCY SERVICES*

WHEREAS: The New York State Division of Homeland Security and Emergency Services (DHSES) has been awarded a grant of \$6,465. 20% of this grant will be county share (\$1,293) and

WHEREAS: The grant will be used for emergency management planning; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That the 2018 Hazardous Materials Emergency Preparedness (HMEP18) be appropriated as follows:

A3360.433567 HME18 DHSES State Aid	\$5,172
A3360.540140 HME18 Contracting Services	\$6,465

And be it further

RESOLVED: That the 2019 Emergency Services budget be modified to reflect the above changes.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 83-19 *AUTHORIZE ACCEPTANCE OF A 2019 NYS
PTS GRANT (PTS-2019-Tioga Co So-00171-
(054), APPROPRIATE FUNDS AND AMEND
2019 SHERIFF'S BUDGET*

WHEREAS: The Sheriff applied and was awarded a NYS PTS (Police Traffic Services) (PTS-2019-Tioga Co So-00171-(054) in the amount of \$18,675; and

WHEREAS: This funding must accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2019 budget be modified and funds be appropriated to the following accounts:

Expense Account: A3110.510030 Sheriff – Overtime/Other

Revenue Account: A3110.433900 Sheriff -State Aid

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 84-19 *AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH*

From: A4064 422800 Dental: Local Grants \$ 25,000
 To: A4064 540640 Dental: Supplies \$ 25,000

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 87-19 APPROPRIATE FUNDS AND MODIFY 2019 BUDGET

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals; and

WHEREAS: Said funds are available through a five year agreement with the NYS Office of Indigent Legal Services with an initial budget and an increasing amount available on each successive year subject to state appropriation; and

WHEREAS: The amount allocated to Tioga County from NYS for the fiscal year April 1, 2018 thru March 31, 2019 is \$154,202.88 and shall be known as the Hurrell-Harring ILS Grant; now therefore be it

RESOLVED: That In anticipation of the contract approval and acceptance of award, the Hurrell-Harring ILS Grant of \$154,202.88 should be appropriated and the 2019 County Budget be Modified as follows:

Expense Accounts: A 1174 510010 Full Time Salary	\$ 92,458.00
A 1174 540620 Software Expenses	\$ 10,000.00
A1174 540280 Investigative	\$ 2,961.61
A1174 540550 Rent	\$ 15,000.00
A1174 540733 Training	\$ 2,961.61
A1174 581088 Retirement	\$ 2,368.36
A1174 583088 Social Security	\$ 4,814.01
A1174 584088 Workers Comp	\$ 1,962.21

A1174 585588 Disability	\$	144.15
A1174 586088 Health Ins		\$ 21,511.46
A1174 588988 EAP	\$	21.47

Revenue Account: A1174 430260 State Aide- HH Grant \$154,202.88

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL

RESOLUTION NO. 88-19 *ACCEPT INDIGENT LEGAL SERVICES
AWARD AND AMEND BUDGET*

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C800049) in the amount of \$123,804.00; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the ILS Grant of \$123,804.00 be appropriated and the 2019 Budget be amended as follows:

Revenue Account: A1173 430260 State Aid Indigent \$123,804.00

Expense Account: A 1173 510010 Full Time Salary	\$68,405.00
A 1173 510020 Part Time Salary	\$36,500.00
A 1173 540620 Software Expenses	\$ 2,500.00
A 1173 540040 Books	\$ 5,500.00
A 1173 540280 Investigations	\$ 7,899.00
A 1173 540700 Transcripts	\$ 1,500.00
A 1173 540733 Books	\$ 1,500.00

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 89-19 *AWARD 2018 EMERGENCY
MANAGEMENT PLANNING GRANT
(EMPG18)
EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services has been awarded a matching grant of \$23,986 by the New York State Division of Homeland Security and Emergency Services (NYSDHSES); and

WHEREAS: The matching grant will be used to offset \$23,986 of budgeted salary costs; therefore be it

RESOLVED: That the Emergency Services Office be allowed to accept the awarded 2018 Emergency Management Planning Grant in the amount of \$23,986.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 90-19 *AUTHORIZE INCREASE IN ADMINISTERING
MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS
APPROVED BY NEW YORK STATE
DEPARTMENT OF TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State tax law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$133,080.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$133,080.00 for the period of April 2019 – April 2020; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$11,090.00 at a total annum amount of \$133,080.00 .

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 91-19 *AMEND RESOLUTION NOS.
52-19, 53-19, & 54-19
ERRONEOUS ASSESSMENTS
TOWN OF NEWARK VALLEY*

WHEREAS: Resolution Nos. 52-19, 53-19, & 54-19 were adopted on February 12, 2019 to correct erroneous assessments in the Town of Newark Valley; and

WHEREAS: The fourth RESOLVED line in resolution nos. 52-19 and 53-19 and the third RESOLVED line in resolution no. 54-19 listed the Town receiving the Town tax charge back as the Town of Owego in error; and

WHEREAS: The Town tax charge back should be charged to the Town of Newark Valley; therefore be it

RESOLVED: That Resolution Nos. 52-19, 53-19, & 54-19 be amended to change the third RESOLVED line in resolution nos. 52-19 and 53-19 and the fourth RESOLVED line in resolution no. 54-19 from the Town of Owego to the Town of Newark Valley; and it be further

RESOLVED: That the remainder of Resolution Nos. 52-19, 53-19, & 54-19 shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 92-19 APPOINT MEMBER
BOARD OF ETHICS

WHEREAS: Carl Kanoff, minority appointment, on the Board of Ethics term end March 31, 2019 and has declined to serve another term on the Board of Ethics; and

WHEREAS: Terese Mullen has agreed to serve on the Board of Ethics; now therefore be it

RESOLVED: That Terese Mullen, minority appointment, be hereby appointed to the Board of Ethics for a term of office beginning April 1, 2019 to March 31, 2022.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 93-19 APPOINT MEMBERS TO
TRAFFIC SAFETY BOARD

RESOLVED: That the following members be reappointed to the Traffic Safety Board for a term as follows:

TITLE	TERM
Arthur Cacciola-Candor	4/1/19-3/31/22
Public Works Commissioner or designee	4/1/19-3/31/22
Tioga County EMO Director	4/1/19-3/31/22
Tioga County Sheriff or designee	4/1/19-3/31/22

Tioga County Economic Development or designee	4/1/19-3/31/22
Vacant-County Representative	4/1/19-3/31/22
Public Health Director or designee	4/1/19-3/31/22

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 94-19 APPOINT MEMBER TO CRITICAL
INCIDENT STRESS DEBRIEFING
TEAM EMERGENCY SERVICES

WHEREAS: The Office of Emergency Services has a need for an additional member to be appointed to the Critical Incident Stress Debriefing Team; and

WHEREAS: The Director of Emergency Services would like to appoint Rebecca Roden to the Critical Incident Stress Debriefing Team; therefore be it

RESOLVED: That Rebecca Roden be hereby appointed to the Critical Incident Stress Debriefing Team effective March 13, 2019.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 95-19 *RESOLUTION APPOINTING
NEW MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Patricia Gillule has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Patricia's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Patricia Gillule be appointed a new member to the Community Services Board, for term starting March 1, 2019 and ending February 28, 2023.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 96-19 *APPOINT AT-LARGE MEMBER TO THE
STERPDB REGIONAL BOARD*

WHEREAS: The by laws of the Southern Tier East Regional Planning Development Board (STERPDB) require the composition of the membership from each county to be 1) a county legislator, 2) a local elected official, another county legislator or an at-large and 3) the County Planning Director; and

WHEREAS: Teresa Saraceno has served in the at-large position on the STERPDB Regional Board since 1/1/2018, and no longer wishes to serve in this capacity; and

WHEREAS: The STERPDB Regional Board is desirous of replacing at-large members with economic development local officials as terms expire; and

WHEREAS: Tioga County ED&P has found Brittany Woodburn, Economic Development Specialist, willing and able to fill this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Brittany Woodburn to Tioga County's at-large position on the Southern Tier East Regional Planning Development Board to fulfill the remainder of Teresa Saraceno's unexpired term of 1/1/2018 – 12/31/2021, effective 3/13/2019.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 97-19 *RESOLUTION OPPOSING REPRODUCTIVE HEALTH ACT*

WHEREAS: The Reproductive Health Act was signed into law by Governor Andrew Cuomo on January 22, 2019; and

WHEREAS: The Reproductive Health Act strips abortion from the state's criminal code and places it under the realm of public health law; and

WHEREAS: Abortion is now allowed up until the full term of pregnancy; and

WHEREAS: The killing of a fetus in the third trimester of pregnancy is now no longer considered murder; and

WHEREAS: The undersigned Legislators urge the Governor, the New York State Senate and the New York State Assembly to reconsider the Reproductive Health Act and to repeal the same; now therefore be it

RESOLVED: That the Tioga County Legislature questions the unintended consequences of the Reproductive Health Act and urges the Governor, the New York State Senate and the New York State Assembly to reconsider the Reproductive Health Act and to repeal the same Reproductive Health Act; and be it further

RESOLVED: That a certified copy of this Resolution be sent to Governor Cuomo, Senator Fred Akshar and Assemblyman Chris Friend.

Legislator Mullen spoke. "First off I want to thank Marte for bringing this forward and secondly it is my firm belief this is the most important piece of legislation this Board has considered in my time on the Legislature. I knew you as I met you in your mother's womb. My God where have we come! I hope God can forgive those who support the aborting of a child up to the day that it is born. I am a father of a special needs child. All human life is sacred. All human life is sacred. We are created in the image of God almighty. I have never been more proud to be a member of this Legislature and I am completely grateful to you Marte for bringing this forward. It showed a lot of courage and it also shows what this County stands for. Our treasure is at stake here. I also want to thank all of you who have come here today to support the Legislature in this stance."

Legislator Sullivan spoke. "I see a lot of faces here that we do not usually see and I suspect it is to show support for this resolution, and I thank you for being here and showing that support. I suspect you know that this resolution, which I am sure it will pass unanimously, is not going to change the law. The law has already been passed. The reason it was passed this year and not prior years, which had it been brought to the floor in Albany in prior years it would have had the same outcome, and the reason for that is that the Democratic Party controls the entire State now, having just taken over the State Senate.

"I found it almost outrageously laughable that this law is called The Reproductive Health Act. I would be laughing about it had it not been so despicable. This should be a striking reminder to everyone about the vital importance of how we vote. Many Democrats are even opposed and not in favor of this law, but like everyone else a lot of people just vote the party line or people vote for silly reasons because they are a dog lover or you know, so we need to be cognizance of the power of our vote, ensure that we and encourage our friends, our family members, our neighbors, encourage them to, to be sure that they know what their candidate stands for, be sure that they understand

what that particular political party stands for because like that old saying goes, "be careful what you ask for or vote for, you just might get it". Thank you."

Legislator Standinger spoke. "I will keep this very brief, but what really concerns me is the Albany politicians in typical fashion have overreached. This whole thing started with an attempt to codify Roe v. Wade, which provided for abortion within the first trimester, so how did that morph into until the child is born! That makes absolutely no sense to me, but unfortunately we have to deal with a lot of people in the State Legislature that really have no connection to us upstate folks. I am very, I won't say disappointed, it is to be expected. Unfortunately we are under their thumb. We have to render to Caesar what is Caesar's. We have a Governor who thinks he is Caesar and until he is out of there we are going to have more stuff like this going on."

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 98-19 *RESOLUTION OPPOSING THE PROPOSED
AND AMENDED 2020 EXECUTIVE STATE
BUDGET IMPACTING AID AND INCENTIVES
TO MUNICIPALITIES AND STATE COST SHIFTS
TO COUNTIES*

WHEREAS: On February 15, 2019, Governor Cuomo announced a 30-Day Amendment to the 2020 Executive Budget making impacted towns and villages whole from changes to AIM funding by utilizing revenue from county sales tax; and

WHEREAS: Instead of restoring AIM with State funding and signifying a desire by the State to act as partners with local governments, this budget amendment requires counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties; and

WHEREAS: Already-existing unfunded State mandates are the cause of high local taxes in New York State; and

WHEREAS: Counties were granted the authority to levy a local sales tax in the late 1960s to help pay for Medicaid, indigent legal defense services, and other state mandates on counties, and

WHEREAS: Requiring counties to make up for the State's cut in AIM funding to villages and towns sets an unsustainable precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation; and

WHEREAS: Currently nine state mandated programs placed on counties equals more than 90 percent of the typical county property tax levy, and these mandated costs continue to grow; and

WHEREAS: Cutting AIM funding in the first place is a tax-shift from broad-based State income taxes to regressive local property taxes; and

WHEREAS: Replacing what had been State AIM assistance with funding from county revenues is simply a tax-shift that will ultimately result in higher property taxes; now therefore be it

RESOLVED: That Tioga County supports the full restoration of this state aid program to local governments and urges the Governor and State Legislature to fully restore this state funding in the final 2019/2020 state budget; and be it further

RESOLVED: That copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED: That Tioga County shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator Fred Akshar, Assemblyman Chris Friend, the New York State Legislature and all others deemed necessary and proper.

Legislator Standinger spoke. "I just would like to say that again here we go, Albany dictating situations that mess us up and as long as that keeps coming I will keep squawking about it."

Legislator Mullen spoke. "I will just echo Bill's remarks. This is another example of overreach by New York State affecting the communities that least can afford to be affected by the cutting of aid for municipalities who are under a tax cap. I can tell you the effort that is put in to keep our taxes low in Tioga County. Marte told us about it in the County Address. Hundreds of hours are put

in to it and then to have this brought forward by the Governor and to have that cost passed on to you, the Tioga County residents is despicable.”

Legislator Sullivan spoke. “One final thing to add on to what Dennis had to say, a lot of people are not aware, I do not know the exact number I would have to ask the Budget Officer, but I think on average in the counties throughout the State close to 90% of the county’s budget is for State or Federal mandated programs, so your local elected officials have no say in those programs and spending that money, and so we manage only 10% of the entire budget, but we pass tax levies that cover the entire amount.”

Legislator Weston spoke. “Usually what you have when you have mandates, so many people say to me well why don’t you just not pay them! The problem is that when we receive our monies from the State, much of it is from sales tax and things like that, and what they do is they collect the sales tax first. When they are done collecting it and they see that we have not done what we are supposed to do as far as the mandate is concerned, they say you did not do this, you owe us this much money, we will take this from your sales tax or whatever. That is all there is to it. It is a very difficult situation if you want to try to be aggressive with it. It is just like a landlord having a check from the tenant at the beginning, he can distribute it anyway he wants to.”

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC WORKS COMMITTEE
HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 99-19 *AUTHORIZE TIOGA COUNTY SUSTAINABILITY
MANAGER TO FACILITATE TIOGA COUNTY’S FIRST
PLASTIC FREE DAY*

WHEREAS: Tioga County recognizes that waste disposal and recycling issues have both environmental and economic costs; and

WHEREAS: These issues lessen the effectiveness of our businesses and increase pressure on the environment through loss of natural resources, harming the vitality of our communities; and

WHEREAS: The economic burden is amplified in Tioga County due to the lack of a landfill within the County; and

WHEREAS: Recent articles and programs, have brought to life the risk that single-use plastic has on our resources and the environment; and

WHEREAS: Educating and raising the awareness of residents and businesses about the benefits of going single-use plastic free by columns, art exhibits, and other activities; and

WHEREAS: That the support of local businesses is important to this mission; and

WHEREAS: Both the Tioga County Sustainability Manager and Tioga County Public Health Officer support these initiatives; therefore be it

RESOLVED: That the Tioga County Legislature is asking local businesses to partner with Tioga County to hold a Plastics Free Day and encourages all local businesses to participate.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

ED&P COMMITTEE
AGRICULTURE COMMITTEE

RESOLUTION NO 100-19

*AUTHORIZE 2019 REQUESTS FOR INCLUSION OF
LANDS IN AGRICULTURAL DISTRICTS*

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts located within the Spencer and North Tioga Agricultural Districts totaling 74.33 acres, and prepared the required report listing these requests; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: Tioga County Planning has found this plan to have "little likelihood of significant adverse environmental impact..." via completion of the SEQR Short Environmental Assessment Form, which is consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the District and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature makes a SEQR Negative Declaration and approves the 2019 requests for inclusion of land listed in said report into the Spencer and North Tioga Agricultural Districts; and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification; and be it further

RESOLVED: That it is the intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these inclusions to the Spencer and North Tioga Agricultural Districts effective immediately.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: 101-19 CONTRACT RENEWAL – COTT SYSTEMS, INC.

WHEREAS: The County Clerk's office needs to renew their contract for records management software developed by COTT Systems, Inc.; and

WHEREAS: The County Clerk has budgeted for the cost of the renewal; and

WHEREAS: The contract will be effective from January 1, 2019 through December 31, 2023 at an annual cost of \$26,220.00; therefore be it

RESOLVED: That the County Clerk be authorized to renew the contract for records management services with COTT Systems, Inc. upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 102-19 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE
ON NY OWEGO I, LLC, AN AFFILIATE OF
DELAWARE RIVER SOLAR, LLC, PAYMENT IN LIEU
OF TAX AGREEMENT*

WHEREAS: NY Owego I, LLC an affiliate of Delaware River Solar, LLC, hereinafter NY Owego I, LLC, has submitted a Notice of Intent to the Town of Owego that it plans to build and operate a "Solar Energy system" with an expected total capacity of approximately five (5) Megawatts AC; and

WHEREAS: The project location is 4890 Gaskill Road, Town of Owego, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Owego, the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require a Payment in Lieu of Taxes (PILOT) Agreement with NY Owego I, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: NY Owego I, LLC has agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by NY Owego I, LLC, following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$4,000.00 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by two percent (2%) per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Owego and mailed to the Town of Owego and are due no later than January 31st of each year; and

WHEREAS: The Town of Owego shall be responsible for distributing the annual payments to the Owego Apalachin Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that the remaining balance of said payments shall be disbursed to the Town of Owego, Owego Apalachin Central School District and County of Tioga in equal portions upon netting out of existing real property tax owed to each entity; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between NY Owego I, LLC, the Town of Owego, the Owego Apalachin Central School District and Tioga County.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 103-19 *AWARD DESIGN SERVICES TO
HUNT ENGINEERS FOR HALSEY
VALLEY ROAD BRIDGE*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Halsey Valley Road Bridge is a bridge that needs repair due to an inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Hunt Engineers, Horseheads, NY; and

WHEREAS: The proposal for this bridge came in at \$56,000; therefore be it

RESOLVED: That the Tioga County Legislature approve Hunt Engineers proposal for the Halsey Valley Road Bridge not to exceed \$56,000 to be paid out of the Halsey Valley Road Bridge account H5110 54002 H1905.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 104-19 *AUTHORIZING THE IMPLEMENTATION AND FUNDING OF 100% OF THE COSTS OF A TRANSPORTATION PROJECT WHICH MAY BE ELIGIBLE FOR FEDERAL AID AND OR STATE AID, OR REIMBURSEMENT FROM BRIDGE NY FUNDS*

WHEREAS: A project for the rehabilitation of BIN 3335200 – West Creek Road over West Branch Owego Creek, PIN 9754.80, (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 95% Federal Funds and 5% non-Federal Funds; and

WHEREAS: The County of Tioga will design, let and construct the “project”; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the costs of the work of the Project of portions thereof;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay 100% of the cost of the Preliminary Engineering / Design work for the Project or portions thereof, with the understanding that qualified costs may be eligible for Federal-aid, State-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED: That the sum of \$350,000 is hereby appropriated from West Creek Road Bridge account H5110.540004.H1904 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the project which exceed the amount of Federal-aid, State-aid, or NY Bridge Funding Awarded to the County of Tioga; and it is further

RESOLVED: That in the event the Project costs not covered by Federal-aid, State-aid, or NY Bridge funding exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and that the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute on behalf of the County of Tioga, all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or State Aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the County of Tioga's funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 105-19 *CREATE TWO (2), FULL-TIME
TEMPORARY CONSTRUCTION
INSPECTOR POSITIONS PUBLIC WORKS*

WHEREAS: There will be a need for the Public Works Department to employ inspectors to monitor construction projects occurring on county roads and bridges during the 2019 construction season; and

WHEREAS: The Commissioner of Public Works has identified a cost savings by creating two (2) full-time, temporary Construction Inspectors who possess the necessary credentials through the National Institute for Certification in Engineering Technologies (NICET) and to work for a duration of at least 12, but no more than 25 weeks during 2019; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create two (2) full-time, temporary Construction Inspector positions effective May 1, 2019 at an hourly range between \$25.00 (NICET Level II) to \$50.00 (NICET Level IV); and be it further

RESOLVED: That two (2) Construction Inspectors will be employed for a temporary duration not to exceed 25 weeks.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
 PERSONNEL COMMITTEE

RESOLUTION NO. 106-19 *AUTHORIZE TO CREATE AND FILL ONE
 (1) TEMPORARY, FULL-TIME
 PUBLIC HEALTH NURSE
 PUBLIC HEALTH DEPARTMENT*

WHEREAS: Legislative approval is required to authorize the creation of positions within Tioga County; and

WHEREAS: Due to a reassignment of duties within the Public Health Department, the Public Health Director has a need to create and fill a temporary, full-time Public Health Nurse position for a duration not to exceed beyond August 30, 2019; therefore be it

RESOLVED: That the Legislature authorizes the Public Health Director to create and fill one (1) temporary, full-time Public Health Nurse position at an hourly rate of \$25.51 effective March 18, 2019; and be it further

RESOLVED: That said temporary position shall end on or before August 30, 2019.

RESOLVED: That said out-of-title pay shall continue until such time as determined by the Public Health Director.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 109-19 *RETITLE AND AMEND
CLASSIFICATIONS WITHIN
PROBATION SERIES
PERSONNEL DEPARTMENT*

WHEREAS: Legislative approval is required to abolish and create any job title within Tioga County; and

WHEREAS: Due to adopted changes to the New York Codes, Rules and Regulations (NYCRR), Title 9, Appendix H-10 *Standard Specifications for Professional Probation Positions*, the Personnel Officer is required to adopt the new job class specifications for Probation positions within the Tioga County Probation Department as follows:

<u>Current title & Allocation</u>	<u>New title</u>
Probation Officer (CSEA SG XI)	Probation Officer 1
Sr. Probation Officer (CSEA SG XII)	Probation Officer 2/Senior Probation Officer
Probation Supervisor (CSEA SG XV)	Probation Supervisor 1
Probation Director I (Non-union)	Probation Director (Group A)

and

WHEREAS: Salary allocations for the above new titles will remain consistent with the current title's salary allocation and incumbents shall have a continuation of status under civil service laws and rules; therefore be it

RESOLVED: That for the purpose of retitling and amending classifications, the Tioga County Legislature authorizes the abolishment of the following full-time titles: Probation Officer, Sr. Probation Officer, Probation Supervisor, and Probation Director I and authorizes the creation of the following full-time titles: Probation Officer 1 (CSEA SG XI), Probation Officer 2/Senior Probation Officer (CSEA SG XII), Probation Supervisor 1(CSEA SG XV), and Probation Director (Group A) (Non-union) effective March 16, 2019; and be it further

RESOLVED: That a final notification will be provided to department heads and employees impacted by these changes.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ED&P LEGISLATIVE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 110-19 *FUNDING AND RECLASSIFICATION OF POSITION
ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: Legislative approval is required to both fund and reclassify positions in Tioga County; and

WHEREAS: The Director of Economic Development and Planning currently has a vacant, unfunded full-time Associate Planner position which she would like to fund and reclassify in order to better serve the needs of her department; and

WHEREAS: The Personnel Officer has reviewed the job duties, developed a job description, and determined the salary range for the new classification; therefore be it

WHEREAS: The Director of Economic Development and Planning would like to promote an employee into the Deputy Director position; and

WHEREAS: The 2019 budget has sufficient funds to cover the increase in salary upon promotion; therefore be it

RESOLVED: That the Non-Union salary range for the Deputy Director of Economic Development and Planning is set at \$52,593 – 62,593; and be it further

RESOLVED: That Brittany Woodburn, who is eligible and willing to accept provisional appointment to the Deputy Director of Economic Development and Planning position, is authorized an annual salary of \$54,943 effective April 29, 2019; and be it further

RESOLVED: That the Economic Development Specialist position vacated by Woodburn shall become an unfunded vacancy effective April 29, 2019.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P LEGISLATIVE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 112-19 *CREATE PART TIME POSITION AND AUTHORIZE
APPOINTMENT OF LAND BANK DIRECTOR
ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: Teresa Saraceno is currently employed as the full-time Deputy Director of Economic Development; and

WHEREAS: Ms. Saraceno will retire effective April 27, 2019; and

WHEREAS: Per Resolution No. 265-16, the Tioga County Legislature authorized application to the NYS Urban Development Corporation to establish the Tioga County Property Development Corporation (TCPDC), a New York Land Bank; and

WHEREAS: Tioga County has an executed Administrative Services Agreement with the TCPDC; and

WHEREAS: Ms. Saraceno has expressed an interest in working part-time as the Land Bank Director; and

WHEREAS: The Personnel Officer has reviewed the job duties, developed a job description and determined the salary range for the newly created Land Bank Director; therefore be it

RESOLVED: That one part-time (17 hours/week) position of Land Bank Director (Non-Union salary range \$28,675-\$29,250) be created effective April 29, 2019; and be it further

RESOLVED: That the Director of Economic Development and Planning is hereby authorized to provisionally appoint Teresa Saraceno the Land Bank Director at an annual non-union salary of \$29,250 in recognition of her years of service with Tioga County, effective on or after April 30, 2019, and consistent with payroll procedures; and be it further

RESOLVED: That the Economic Development and Planning Department's 2019 authorized headcount shall be adjusted to 7 full-time and 1 part-time.

Legislator Sullivan spoke. "Tioga County has a Land Bank that the purpose of which is to take blighted communities that have overdue tax, etc. and rather than to sell them at auction either fix them up or tear them down for resale of the property. This Land Bank in Tioga County was just created last year and the person whose name is on both of these resolutions is Teresa Saraceno and she is with us tonight, and Teresa will be retiring. This was a brand new venture for Tioga County and I would just like to thank Teresa for steering this ship and making it all happen. She has done a wonderful job."

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:43 P.M.

*Fourth Special Meeting
March 21, 2019*

The Fourth Special Meeting of 2019 was called to order by the Chair at 10:00 A.M. Eight Legislative members were present, Legislator Standinger being absent.

Chair Sauerbrey asked Legislator Balliet to have a moment of prayer. "Let us pray. Thank you Lord for watching over us and keeping us healthy as we come here today. We ask that you will put some spring in our lives, spring in our steps, and help us to spring to action with the Legislative efforts we have to pursue, and be with us as we spring forward in our lives."

Legislator Balliet led all Legislators and those in attendance in the Pledge of Allegiance.

There were 5 people in attendance.

John Holton, Veterans' Service Agency Director spoke. "Good morning. First of all thank you, I have had the honor of working on this project for over a year now and first of all what it means to be designated as a Purple Heart County in my mind and in my heart is that we are acknowledging the blood that has been let for our freedoms. It is no more complicated than that and it is a daily demonstration by posting signs, which will be posted in 11 different locations around the County and I have a list of the locations that have been selected by Gary Hammond in conjunction with the New York State DOT.

"It is not more complicated than that. No obligations and simply an enduring, durable expression of our appreciation because these people walk among us, in some cases they are no longer with us as a result of their sacrifice. The reason for the secrecy, I will give you a little background, I started to process this as I said about a year ago and on two different occasions well meaning people in the public decided that they could do it better, faster, more efficiently than the process we are all engaged in on a day to day basis and their efforts actually slowed down the process. Also, once there was communication with the prison system who created these signs, one time all the machinery in the prison shop broke down for no reason. Two weeks later the main computer cable serving all the equipment mysteriously got cut and so that is why we are here later in the season than I had hoped, but I did not make any announcements knowing the potential for that and I am sorry for the inconvenience for you folks, but the timing just was not allowing us to be all that graceful."

Chair Sauerbrey spoke. "I have had a sign in my office for months, but we wanted to save it because there is a process and a procedure, and we will unveil

the Purple Heart sign at the upcoming Veterans event, which is the second annual Welcome Home Vietnam Veterans Day. You are all invited to attend, certainly the Veterans will be encouraged to attend and participate. I thank John for going through this and be able to produce this by prison workers."

John Holton, Veterans' Service Agency Director spoke. "It was actually delivered to our doorstep by a work release prisoner. Cost of the project, I had to make a decision yesterday. The State is approaching the budget deadline and I was contacted by my contact in the prison system in the billing system yesterday where she had a total urgency and so I went ahead and actually satisfied the bill so that Tioga County would not have a bad reputation with these people who have really served well for us, but beyond that there is an anonymous individual who has agreed to pay for the cost of the signs. The fee is \$357.78. Temporarily it has come out of my budget, but I will talk to Jim McFadden and see how we can accept that offset. It is 0 cost. Every one of the locations where the signs are going to be installed is on a two-lane State highway. Gary Hammond is to be commended for his working with the State DOT to look at all the rules and regulations and I will be releasing the rest of the signs following the official announcement for installation."

Legislator Sullivan spoke. "You have a list of the 11 locations and can you mail a copy to me?"

John Holton, Veterans' Service Agency Director spoke. "I have a copy right here and I will provide you with it."

Legislator Sullivan spoke. "Question number two, did anything fishy go on that we should know about?"

Chair Sauerbrey spoke. "No, it is our story to tell and that is why we kept it under wraps."

John Holton, Veterans' Service Agency Director spoke. "There were well meaning individuals in our community who tried to go on point about it. Nothing fishy, just inconvenient."

Legislator Weston spoke. "They are only going to go on State highways? Is there a way that if a person purchased one sign that it could be put on a Town road or a Village road? For example, if I bought one in honor of my nephew could that be put down near the Casino because there are a huge number of veterans that go back and forth there?"

John Holton, Veterans' Service Agency Director spoke. "Especially coming in from Sayre, the back road from Sayre. Let me check with Gary Hammond and then I will communicate directly with you."

Legislator Sullivan spoke. "I would imagine you would probably have to get the approval of the Town or Village."

John Holton, Veterans' Service Agency Director spoke. "That is a very good idea and I will get that information in case other ideas come up for placement. At the March 29th Welcome Home Vietnam Veterans Ceremony I have been assured that there will be four members of leadership from the Military Order of Purple Heart who will be coming from Westchester County to lay a wreath in our memorial park at the Court House. Thank you very much."

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 113-19 *DESIGNATING TIOGA COUNTY AS A PURPLE HEART COUNTY*

WHEREAS: The Tioga County Veterans Service Agency, Tioga County Legislature, and the residents of Tioga County have great admiration and respect and gratitude for all of our veterans who have served this country in the Armed Forces; and

WHEREAS: The Purple Heart, original created by George Washington in 1782 as the "Badge of Military Merit", is the oldest military decoration still in use; and

WHEREAS: The Purple Heart is awarded to any member of the United States Armed Forces wounded or killed in combat against a declared enemy of the United States; and

WHEREAS: There have been 167 residents of Tioga County who made the ultimate sacrifice in service to their country from World War I through our current conflicts and there are numerous combat-wounded veterans currently residing within Tioga County; therefore be it

RESOLVED: That the Tioga County Legislature hereby designates Tioga County as a Purple Heart County, honoring the service and sacrifice of our men and women who were wounded or killed by the enemy while serving in uniform to protect the freedoms enjoyed by all Americans.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Sullivan and Weston.

No – None.

Absent – Legislator Standing.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 114-19 *AUTHORIZE CREATE & FILL POSITION
DISTRICT ATTORNEY'S OFFICE*

WHEREAS: Legislative approval is required for creation of any position; and

WHEREAS: The District Attorney has realized a need for an Investigator in his office to handle confidential investigations as well as assist with other programs; and

WHEREAS: The County Legislature is supportive of the creation of this position; therefore be it

RESOLVED: That one hourly, Non-Union position (up to 29 hours per week) of District Attorney Investigator is created with approval to fill effective April 1, 2019 at an hourly rate of \$34.00 per hour; and be it further

RESOLVED: That due to the hourly status, the incumbent shall not qualify for Non-Union Benefits; and be it further

RESOLVED: That the appointment shall be provisional pending jurisdictional clarification; and be it further

RESOLVED: That the District Attorney's headcount shall be adjusted to four (4) full-time and three (3) part-time.

Legislator Mullen spoke. "I just wanted to say thank you to Bethany because I had a conversation with Kirk and he talked to me about this and he said that Bethany had been absolutely tremendous through this effort. It did not go unnoticed. Thank you very much."

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, Sullivan and Weston

No – None.

Absent – Legislator Standinger.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:10 A.M.

Fourth Regular Meeting April 9, 2019

The Fourth Regular Meeting of 2019 was held on April 9, 2019 and was called to order by the Chair at 12:00 P.M. Seven Legislative members were present with Legislators Monell and Roberts being absent.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "Let us pray. Lord, help us to remember that nothing is going to happen to us that you and we together cannot handle."

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

There were 17 people in attendance.

Chair Sauerbrey spoke. "Before we begin I just want everybody to notice over here in the left of the room is the Purple Heart sign for Tioga County as we were designated the Purple Heart County last month. There will be at least 11 signs distributed throughout the County and if anyone is interested in securing a sign for their community, their street or whatever, reach out to me as we probably are going to order more because there has been some requests."

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Legislator Weston read and presented the following recognition resolution to Teresa Saraceno, Deputy Director of Economic Development.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 115-19 *RESOLUTION RECOGNIZING
TERESA SARACENO'S 20 YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY*

WHEREAS: Teresa Saraceno began her career as an Economic Development Specialist and Administrator of the Empire Zone on April 19, 1999 and was appointed Deputy Director of Economic Development on August 7, 2015; and

WHEREAS: Teresa has been extremely dedicated and loyal in the performance of her duties and responsibilities during the past 20 years. She has earned the respect of her colleagues in other county agencies, and those citizens she professionally interacts with throughout Tioga County; and

WHEREAS: Teresa was instrumental as Deputy Director of Economic Development in bringing new businesses and expanding existing businesses in Tioga County. She assisted with and administered many projects including Restore NY Waverly, NY Main Street Programs in Owego, Nichols and Waverly, Snowmobile Grant, Empire Zone, NY Main Street Parkview, Rural Area Revitalization Program Waverly; she acted as the liaison with Binghamton University and SUNY Broome, she established and facilitated numerous façade improvement and paint program projects, provided small business start-up and expansion assistance, assisted many businesses with Consolidated Funding Applications for Empire State Development Capital funds, assisted with a business visitation program, assisted with the creation and launch of TEAM Tioga, assisted with the Village of Owego Downtown Revitalization Initiative application and planning, and most notably is responsible for the creation, funding and oversight of the Tioga County Property Development Corporation (land bank); and

WHEREAS: Teresa has served on many vital boards representing Tioga County such as the Southern Tier East Regional Planning and Development Board, Entrepreneurial Assistance Program Committee, Empire Zone Board, and has been appointed the Executive Director of the Tioga County Property Development Corporation Board; and

WHEREAS: Teresa will be retiring on April 27, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Teresa Saraceno for her 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Teresa Saraceno.

ROLL CALL VOTE

Unanimously Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED UNANIMOUSLY.

LeeAnn Tinney, Director of Economic Development & Planning spoke. “I know Teresa that you will be returning in a part-time capacity with the Land Bank, but I also want you to know that I have been paying close attention to the vocabulary since you made your announcement. I keep hearing words like joy, happiness, delight, enjoyment, bliss and elation. I think it is probably a good thing that you have not heard the words that I have been using since you made your announcement. They include words such as dread, terror, trepidation, anxiety, alarm and horror. It has been my pleasure to have worked with Teresa over the past 20 years. She has acted as an exceptional Deputy Director since August of 2015 and frankly we would not be where we are today without her hard work and extraordinary commitment to the residents of Tioga County.

“She has been instrumental in many initiatives as Dale has already explained, the most recent of which is the establishment of the Land Bank, which will prove to be a valuable tool in our economic development efforts. Teresa’s work is incomparable when she tackles a problem. She pushes me to consider possibilities that I do not always initially recognize. She requires me to step outside of my comfort zone and has a remarkable way of gently showing me another point of view and sometimes not when I get my heels dug in. I have relied heavily on her safe guidance over the years.

“Teresa is an outstanding employee and Team Tioga will miss her and I know I will. So in truth, the words that I use when talking about Teresa include those words that you just heard, exceptional, extraordinary, incomparable, remarkable and outstanding. Thank you Teresa for being a part of our Team. Take joy and find happiness and delight in spending more time with Christian and Danielle, Feel enjoyment, bliss and elation in time with your brother and sisters. You have certainly earned it.”

Teresa Saraceno spoke. “I just want to say thank you. The community has been wonderful to work with. I cannot believe 20 years has gone by, it is crazy and the support of the Legislature has always been there with everything we tried to get together and pull off and even in good times and bad times, we have had some economic issues over the years. Thank you very much.”

Chair Sauerbrey noted the following two Proclamations on Donate Life Month in Tioga County and Child Abuse Prevention Month.

STATE OF NEW YORK
Tioga County
Donate Life Month Proclamation

WHEREAS: Through our membership with NYSAC, New York State Association of Counties and NYSACC, New York State Association of County Clerks, New York Counties have come together to collectively support April as Donate Life Month; and

WHEREAS: This observance pays tribute to organ and tissue donors and their families whose meaningful decision enables others to receive life-saving organs or tissue, whereby a transplant not only improves the quality of life for the recipient, but in many cases can save a life; and

WHEREAS: A single individual's donation of organs can save up to 8 lives while a donation of tissue can improve the lives of up to 75 others; and

WHEREAS: There are approximately 9,500 men, women and children waiting for an organ transplant in New York State which represents the third highest need in the nation, and there are approximately 400 New Yorkers that die every year while waiting for an organ transplant; and

WHEREAS: Only 35% of New York State residents are currently signed up to be organ, eye and tissue donors, and there are also tens of thousands persons nationwide in need of bone, corneal or other tissue transplant, with names added to the waiting list each day; and

WHEREAS: A new online New York State Donate Life Registry, located at www.donatelife.ny.gov, launched in October 2017 ensuring that New Yorkers can quickly and easily communicate their consent to give the gift of life and become organ and tissue donors; and

WHEREAS: Legislation which took effect in February 2017 has allowed more than 55,000 sixteen- and seventeen-year-olds to enroll in the New York State Donate Life Registry; and

WHEREAS: New Yorkers can help save another's life by joining the New York State Donate Life Registry and enrolling when they apply for, or renew, their New York State driver's license, or non-driver's license identification card, or on voter registration forms; and

WHEREAS: New York State counties are joining organ and tissue donation advocacy organizations to raise awareness of the need for organ and tissue

donation and to provide residents with opportunities to join the New York State Donate Life Registry; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim April 2019 as

DONATE LIFE MONTH
in Tioga County

CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS: The Tioga County Department of Social Services received 1,111 reports of alleged abuse/neglect involving 2,452 children in 2018; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT, Catholic Charities, Hillside's Regional Permanency Center, and Finger Lakes Parenting Network offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2019 as

CHILD ABUSE PREVENTION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to ensure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

There was no Privilege of the Floor.

Legislator Sullivan made a motion to approve the minutes of March 7, 12 and 21, 2019, seconded by Legislator Mullen and carried with Legislators Monell and Roberts being absent.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
LEGAL COMMITTEE

RESOLUTION NO. 116-19 *MUNICIPAL OPIOID COST RECOVERY AND
PUBLIC NUISANCE LEGISLATION*

WHEREAS: The Tioga County Legislature recognizes that an opioid epidemic exists in Tioga County; now therefore be it

RESOLVED: That the Tioga County Legislature hereby supports the following Municipal Opioid Cost Recovery and Public Nuisance Legislation:

MUNICIPAL OPIOID COST RECOVERY AND PUBLIC NUISANCE

LEGISLATION I. Purpose and intent.

The opioid epidemic is sweeping the country. Indeed, addiction to and abuse of opioids is one of the greatest challenges facing Tioga County. A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioids were sold, distributed, and prescribed in the County over the past several years, a practice that continues today. The selling, distributing, and prescribing of large amounts of opioids in our community has created a public health and safety hazard affecting the residents of the County. This crisis has devastated families, wreaked havoc on our economy, and produced a generation of narcotic dependence. As a result of the opioid epidemic, costs related to healthcare, family and social services, criminal justice, addiction and rehabilitation, and many other areas have significantly increased. Many of these costs are paid by the County.

The purpose and intent of this legislation is to allow the County to recover these costs, despite the existence of the common-law municipal cost recovery rule (a.k.a. free public services doctrine) and declare the opioid epidemic and its effects on the County a public nuisance. Specifically, the County provides services related to the opioid epidemic, which are funded by tax revenues. This statute clarifies that reimbursement may be sought for the costs of providing such services, whenever practicable, from the responsible party. To accomplish this, the County establishes this cost recovery procedure and declares the opioid epidemic and its effects on the County a public nuisance.

II. Definitions.

"Costs" means all expenditures related to the opioid epidemic that directly or indirectly arise from the County's response to a responsible party's action or inaction.

"Responsible party" means any person or corporation whose negligent, intentional, or otherwise wrongful conduct causes the incident resulting in the County incurring costs or who is found liable or made responsible by a court for the costs incurred by the County in the form of damages, regardless of the cause of action.

III. Governmental function cost recovery.

The County may recover the costs of governmental functions related to opioids marketed, sold, manufactured, dispensed, prescribed, and/or distributed by the responsible party. If a responsible party fails to pay the costs demanded, the County may initiate and recover costs through administrative, civil, and/or criminal action against the responsible party. In that case, the County may also recover attorney's fees, interest, and any other payment or type of damages the court deems proper.

IV. Effect of criminal or civil proceedings on governmental function cost recovery.

The initiation of administrative or civil proceedings for governmental function cost recovery does not bar the criminal prosecution of a responsible party for any associated violation. Similarly, criminal prosecution does not bar civil collection of costs for the violation, giving rise to the criminal prosecution.

V. Public nuisance.

The County hereby finds and declares the following:

1) That addiction to and abuse of opioids is one of the greatest challenges facing the County;

2) A cause of this increasing crisis is the overabundance of prescription opioids. Vast amounts of prescription opioid pain pills were sold, distributed and prescribed in the County over the past several years, which practice continues today;

3) There is evidence showing that approximately four in five heroin users began their addiction by first using and then misusing prescription pain medications containing opioids;

4) The selling, distributing, and prescribing of large amounts of opioid pain pills in the County has created a public health and safety hazard affecting the residents of the County, resulting in devastation to County families, a negative effect on

the County economy, wasted public resources, and a generation of narcotic dependence;

5) That selling, distributing, and prescribing of prescription opioid pain pills is a hazard to public health and safety, which has created a public nuisance to the citizens of the County, and said nuisance remains unabated;

6) That, in addition to all other powers and duties now conferred by law upon the County, the County is authorized to enact ordinances, issue orders, and take other appropriate and necessary actions for the elimination of hazards to public health and safety and to abate or cause to be abated anything which the commission determines to be a public nuisance;

7) That manufacturers of prescription opioids and those in the chain of distribution have wrongfully abused the privilege of selling and/or providing medication to our residents and must be held accountable; and

8) That it is the duty of Tioga County to vindicate the rights of the citizens of the County and take action to abate this public nuisance.

VI. Retroactive application.

This legislation applies retroactively.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 117-19 *URGING NEW YORK STATE TO FUND ALL COSTS ASSOCIATED WITH NEW STATE-DIRECTED ELECTION REFORMS IMPLEMENTED AT THE COUNTY LEVEL*

WHEREAS: State lawmakers have passed and the Governor has enacted a series of reforms to state election law and the voting process, including early

voting, consolidating the federal and state primary dates, and voter registration transfers; and

WHEREAS: Counties, through local Boards of Elections, are responsible for managing election operations, and paying for all or most of the costs of these operations; and

WHEREAS: The State's new early voting law requires counties to open polling sites for early voting for 9 days prior to any primary or general election, starting during the 2019 general election; and

WHEREAS: Another state proposal would allow for same day voter registration, which would enable voting-age residents to register to vote and vote on Election Day; and

WHEREAS: These reforms will likely require counties to purchase and use electronic poll books, and make other investments in their election systems; therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Andrew M. Cuomo, and the New York State Legislature to create a task force of state and local officials to determine the costs associated with implementing these voting reforms; and be it further

RESOLVED: That the state fund the costs associated with the reforms, and be it further

RESOLVED: That certified copies of this resolution be sent by the Clerk of this Legislature to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Assembly Minority Leader Brian Kolb, Senator Fred Akshar and Assemblyman Christopher Friend.

Legislator Standinger spoke. "Another unfunded mandate, compliments of Albany. We had no say in this early voting stuff. We have absentee ballots, which has always been a mechanism for people who cannot make the polling place on voting day. As a result of others in the State Legislature we now have a mandate to provide an unnecessary and unneeded service. Thank you Albany."

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO 118-19 *RESOLUTION TO OPPOSE NEW YORK STATE SENATE BILL S.1947 AND NEW YORK STATE ASSEMBLY BILL A.1261 RELATED TO HOURS, WAGES AND SUPPLEMENTS IN CONTRACTS FOR PUBLIC WORK*

WHEREAS: Legislation has been introduced in both the New York State Senate and Assembly related to hours, wages and supplements in contracts for public work; and

WHEREAS: These Bills would expand the scope and definition of activities under the term Public Work to include most future construction projects that are financed with any amount of public funding; and

WHEREAS: These Bills would require contractors and material suppliers to pay prevailing wages and benefits to all workers and deliveries on projects receiving any state money, including those that receive tax breaks from industrial development agencies; and

WHEREAS: This legislation, if adopted or included as a budget mandate, will result in significant cost increases for all affected projects and a negative effect on economic development throughout the State; therefore be it

RESOLVED: That the Tioga County Legislature opposes Senate Bill S.1947 and Assembly Bill A.1261 or the inclusion of any language as part of the 2019-2020 New York State budget; and be it further

RESOLVED: That copies of this resolution be sent to the counties of New York State encouraging member counties to enact similar resolutions; and be it further

RESOLVED: That the Clerk of the Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, the NYS Legislature and all others deemed necessary and proper.

Legislator Mullen spoke. "I just wanted to say that this was brought by Economic Development & Planning Committee. This could have a significant negative impact on economic development and building of infrastructure and private enterprise. Thanks Albany. It is a situation that is not good and it could really hurt economic development."

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 119-19 *AMEND 2019 DISTRICT ATTORNEY BUDGET AND APPROPRIATE FUNDS*

WHEREAS: Per Resolution 114-19 a Part Time Investigator position was created in the District Attorney Office with the County Legislature support and approval; and

WHEREAS: The Non Union Investigator Position was approved at an hourly rate of \$34.00 per hour up to 29 hours per week for an annual salary of \$51,272.00 plus employee benefits; and

WHEREAS: Legislative approval is needed to amend the District Attorney's Budget and appropriate funds; therefore be it

RESOLVED: That the District Attorney's 2019 budget be modified and funds be appropriated as follows:

A1165	510020	District Attorney -Part Time Salary	\$37,468.00
A1165	583088	District Attorney –FICA (SS and Medicare)	\$ 2,867.00

A1165	584088	District Attorney –Worker's Comp	\$ 1,380.00
A1165	588988	District Attorney –EAP	\$ 14.60

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 120-19 *AMEND CAPITAL BUDGET AND TRANSFER FUNDS FOR SINGLE AXLE DUMP TRUCK – PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works has budgeted for the purchase of a single axle dump truck for 2019 from the Capital Reserve Account H387807 for \$100,000.00 ; and

WHEREAS: The Commissioner of Public Works received proposals for the purchase of the single axle dump truck which came in higher than anticipated; and

WHEREAS: Cost savings were achieved in other Capital Reserve Budget lines and legislative approval is needed to authorize all Capital Reserve expenses; and

WHEREAS: Legislative approval is needed to amend 2019 Capital Budget and transfer funds'; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H5130.521908	Tandem Dump Truck	\$20,000.00
H5130.521907	Equipment Trailer	\$ 7,600.00

To: H5130.520935 Dump Truck \$27,600.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 121-19 AMEND CAPITAL BUDGET AND
APPROPRIATE CAPITAL FUNDS
PUBLIC WORKS

WHEREAS: Tioga County was granted a culvert project through BRIDGE NY 2016, West River Drive over Walker Creek, funding for the original project was estimated to cost \$200,000 for construction and \$25,000 for Construction Inspection, for a total reimbursement cost from NYSDOT of \$225,000; and

WHEREAS: During final design and bidding of said project the updated cost of construction has been revised to not exceed \$375,000 with Construction Inspection cost remaining the same of \$25,000; and

WHEREAS: There is no additional funding available from NYSDOT to cover the unanticipated additional cost of construction and \$175,000 is local share; and

WHEREAS: Budget Amendments and Appropriation of Funds require Legislative approval; therefore be it

RESOLVED: That capital funds be appropriated from fund balance and the 2019 budget be amended as follows:

From: H390900 Capital Fund Balance \$175,000

To: H5110 540001 H1709 West River Drive Over Walker Creek \$175,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 122-19 *AMEND 2019 CAPITAL BUDGET, AND CREATE CAPITAL PROJECT ACCOUNT FOR OAK HILL ROAD BRIDGE EMERGENCY REPAIRS AND APPROPRIATE FUNDS*

WHEREAS: An inspection of the Oak Hill Road Bridge (BIN 3334940) revealed significant scour under the southeast wingwall that needs to be repaired; and

WHEREAS: Due to this being an unforeseen issue the Department of Public Works did not budget for this repair which is estimated to cost \$300,000; and

WHEREAS: There are monies available in the Capital Fund and Legislative approval is needed to appropriate Capital Funds and amend 2019 budget; and

WHEREAS: There may be residual funds available in the Capital Bond Reserve to cover some costs and Legislative approval is needed to authorize Capital Reserve expenses; therefore be it

RESOLVED: That the Tioga County Legislature authorize use of residual Bond Reserve Funds, Appropriate Funds from the Capital Fund Balance and amend the 2019 Capital Budget as follows:

From: H 390900	Capital Fund Balance	\$300,000.00
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To: H5110 540002 H1906 Oak Hill Road Bridge- Emergency Repairs	\$300,000.00
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Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES
FINANCE COMMITTEE

RESOLUTION NO. 124-19 *APPROPRIATION OF FUNDS AND
AMEND 2019 BUDGET
SOCIAL SERVICES*

WHEREAS: SNAP Bonus Award funds have been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance; and

WHEREAS: Tioga County's plan for the use of these funds has been approved by the Office of Temporary and Disability Assistance; and

WHEREAS: Appropriation of funds and budget modifications require legislative approval: therefore be it

RESOLVED: That funding be appropriated and the 2019 budget be amended as follows:

From: A 6010.436100 State Aid-Social Services Admin	\$ 7,000
A 6010.446110 Federal Aid-Food Stamp Program	\$ 7,000
To: A 6010.510030 Overtime/Other	\$ 5,000
A 6010.540487 Program Expense	\$ 9,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 125-19 APPROPRIATION OF FUNDS AND
AMEND 2019 BUDGET
SOCIAL SERVICES

WHEREAS: Additional Safe Harbor NY funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to raise awareness about sexually exploited youth; and

WHEREAS: Appropriation of funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated and the 2019 budget be amended as follows:

From: A6010.436100 State Aid: Administration \$3,350

To: A6010.540487 Program Expense \$3,350

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 126-19 APPROPRIATION OF FUNDS AND
AMEND 2019 BUDGET
SOCIAL SERVICES

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to provide families with access to short term or one-time goods and/or services to meet their needs to help keep their children safe and to reduce the likelihood of child abuse and neglect; and

WHEREAS: Appropriation of funds and budget modification require Legislative approval; therefore be it

RESOLVED: That funding be appropriated and the 2019 budget be amended as follows:

From: A6010.446100 Federal Aid: Administration \$ 4,762

To: A6010.540487 Program Expense \$ 4,762

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 127-19 *APPROPRIATION OF FUNDS*
 BUDGET MODIFICATION 2019
 MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Substance Use Disorder Jail Funding; and

WHEREAS: TCMH has contracted with Council On Alcohol And Substance Abuse Of Livingston County, d.b.a, Trinity to provide these services to Tioga County residents; and

WHEREAS: This funding is designated for specific program deliverables; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: Appropriation of funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated and 2019 budget modified as follows:

From: A4211 434861	State Aid – Council	\$ 60,000.00
To: A4211 540595	Services Rendered	\$ 60,000.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGAL/FINANCE

RESOLUTION NO. 128-19 *AUTHORIZE EXECUTION OF
COOPERATIVE AGREEMENTS BETWEEN
THE LAW DEPARTMENT AND PUBLIC
HEALTH AND MENTAL HYGIENE*

WHEREAS: Tioga County has implemented a Direct Charge Pilot Program that will maximize State reimbursement for legal expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department will directly charge the Department of Public Health and Department of Mental Hygiene for its services and support pursuant to Cooperative Agreements; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department and Public Health and the Law Department and Mental Hygiene.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 129–19 *AWARD CONTRACT FOR JAIL SUBSTANCE
USE DISORDER PROGRAM IN TIOGA
COUNTY*

WHEREAS: Proposals have been received for the provision a of substance abuse prevention program in Tioga County; and

WHEREAS: The proposals were received on February, 22, 2019 and reviewed by Award/Review Committee, and that the proposals were received as follows:

Council on Alcohol and Substance Abuse of Livingston County, d.b.a. Trinity

Addiction Center of Broome County (ACBC)

and

WHEREAS: Trinity has been determined to be the agency that will best meet the needs and interests of Tioga County and whose proposal complied with all requirements; and

WHEREAS: The Director of Community Services is in agreement with this determination for the provision of substance use services to Tioga County's inmates; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Department of Mental Hygiene to enter into a contract with Council on Alcohol and Substance Abuse

of Livingston County, d.b.a., Trinity for the provision of Substance Use Disorder services in Tioga County Jail.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 130-19 *AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR OAK HILL ROAD
BRIDGE BIN 3334940*

WHEREAS: The Oak Hill Road Bridge BIN 3334940 is a bridge that needs repair due to a NYSDOT Bridge inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$20,750; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Oak Hill Road Bridge BIN 3334940 for Delta Engineers not to exceed \$20,750 to be paid out of the Oak Hill Road Bridge Emergency Repairs account H5110 540002 H1906.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 131-19 *AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR COURTHOUSE
FAÇADE EVALUATION*

WHEREAS: The Tioga County Courthouse needs an evaluation of the existing stone façade due to a failing stone; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this evaluation came in at \$17,240; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Courthouse Façade Evaluation project to Delta engineers not to exceed \$17,240 to be paid out of Buildings and Grounds account A1620.540140.

Chair Sauerbrey spoke. "I just want to add that the Courthouse is one of our historical buildings in Tioga County that carries a lot of history and it is a focal point for our county. It is very important that we not only keep the repairs up to date, but make sure that the structure is secure so it can last for many more hundreds of years as we move forward."

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standing, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 132-19 *RESCIND RESOLUTION NO. 117-17 AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE - AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: Resolution No. 117-17 authorized the implementation and funding in the first instance 100% of the Federal Aid and State "Marchiselli" Program-Aid eligible costs for a transportation Federal-Aid Project and appropriated funds therefore; and

WHEREAS: Resolution No. 117-17 appropriated the sum of \$225,000 from the West River Drive Culvert Account H5110.540001.H1709 and made available to cover the cost of participation in the above phase of the Project; and

WHEREAS: The amount is being revised; therefore be it

RESOLVED: That Resolution No. 117-17 is hereby rescinded and a new resolution will be adopted with the correct amount.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 133-19 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE -AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: Tioga County will Design, let and construct the "project"; and

WHEREAS: A project for the culvert replacement on West River Drive over Walker Creek, Town of Nichols, Tioga County, PIN 9754.52 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 0% Federal Funds and 100% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction Supervision and Inspection work; now therefore

The Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the project, which exceed the amount of the NY Bridge Funding Awarded to the County of Tioga; and be it further

RESOLVED: That the sum of \$299,000 is hereby appropriated from the West River Drive Culvert account H5110 540001 H1709 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature

shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
LEGAL COMMITTEE

RESOLUTION NO. 134-19 *RESOLUTION PURSUANT TO
SECTION 131-B OF THE HIGHWAY LAW DEDICATING
CORPORATE DRIVE AS A COUNTY ROAD*

WHEREAS: Corporate Drive is a public roadway running from NYS Route 38 over the lands of the County of Tioga to the terminus of said highway at the lands of Upstate Shredding; and

WHEREAS: The First thousand feet of said roadway was formally dedicated by the County through Resolution 122-96 and thereafter the Commissioner of Public Works recommended the formal laying out of a highway to be known as Corporate Drive which recommendation was adopted by Resolution No. 245-99; and

WHEREAS: Although the roadway has been openly used as a public highway since that time, the Tioga County Department of Public Works and the County Attorney have recommended that Corporate Drive in the Town of Owego, County of Tioga and State of New York be officially dedicated at this time to provide clarity as to its status as a county highway; and

WHEREAS: The Tioga County Legislature concurs with that decision; now therefore be it

RESOLVED: That the Tioga County Legislature has, and hereby does, determine that it is in the best interest of the County of Tioga to formally recognize Corporate Drive as a county road, which is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Owego, County of Tioga and State of New York, bounded and described as follows:

BEGINNING at a point in the westerly boundary of NYS Route 38 which lies S 16°05'02" W, 251.55 feet from a concrete highway monument at the intersection of the north line of lands of the County of Tioga and the westerly boundary of NYS Route 38;

THENCE S 16°05'02" W along the westerly boundary of NYS Route 38 for a distance of 50.31 feet to a point;

THENCE N 80°17'22" W passing through a 3%" rebar with Edsall cap at 1201.46 feet and another 3%" rebar with Edsall cap at 139.96 feet for a total distance of 1741.42 feet to a 3%" rebar with Edsall cap;

THENCE S 24°25'13" W passing through a 3%" rebar with Edsall cap at 489.86 feet for a total distance of 593.26 feet to a point;

THENCE N 80°17'22" W for a distance of 62.04 feet to a point;

THENCE N 24°25'13" E for a distance of 644.95 feet to a 3%" rebar with Edsall cap;

THENCE S 80°17'22" E passing through a 3%" rebar with Edsall cap at 192.96 feet, another at 184.94 feet, another at 84.44 feet, and another at 142.36 feet for a total distance of 1795.92 feet to the Point of Beginning;

CONTAINING 2.883 acres of land as shown on a survey map prepared by Williams and Edsall Land Surveyors titled Survey map of Corporate Drive for Tioga County IDA dated April 1, 2019.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 135-19 *AMEND EMPLOYEE HANDBOOK
PAYROLL PROCEDURES
(FORMERLY POLICY 2)*

WHEREAS: The Employee Handbook Section IV. Personnel Rules – Subsection b. Payroll Procedures (formerly policy 2) needs clarification in Reporting of Time for clarity; therefore be it

RESOLVED: That the Employee Handbook Section IV. Personnel Rules – Subsection b. Payroll Procedures (formerly policy 2) be amended as follows:

Section I: REPORTING OF TIME be revised to read as follows:

“Time shall be reported on forms(s) and/or Employee Self Service/Time Entry designated by the Treasurer’s Office on the dates so designated by the County Treasurer. Time shall be reported in units according to most current Union Contract or Non-Union policy. Time reported shall include the following:

- A. Time Worked.
- B. Leave time taken (to be supported by standard leave form signed by department head or accrual requests processed through ESS).
- C. Overtime worked.
- D. Comp time worked and taken.
- E. Time on temporary assignment.”;

Section II: DISTRIBUTION OF PAYCHECKS AND RELATED DOCUMENTS be revised to read as follows:

“Salaries and wages of all persons covered by this agreement shall be paid every two weeks, with payday falling on the Thursday following the two-week period ending on the preceding Friday. All checks in payment of said salaries and wages shall contain or have attached thereto a complete statement of all deductions for income taxes withheld, social security taxes withheld, Union dues and any authorized or required deductions. Copies of these said documents can also be retrieved by accessing Employee Self Service on Munis payroll system.”

And be it further

RESOLVED: That the remainder of the Employee Handbook shall remain in full force and effect.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 136-19 *AUTHORIZE APPOINTMENT OF CLINICAL
PROGRAM DIRECTOR
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Due to an internal promotion, the position of Clinical Program Director has been vacant since February 18, 2019; and

WHEREAS: After recruitment efforts, the Director of Community Services has identified a well-qualified candidate to fill the position; therefore be it

RESOLVED: That Catherine Healy shall be appointed to the Clinical Program Director position at an annual, non-union salary of \$68,000 effective on or after April 15, 2019, and consistent with Tioga County's payroll procedures; and be it further

RESOLVED: That Ms. Healy's appointment shall be provisional pending the outcome of a civil service examination.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 137-19 *AUTHORIZE APPOINTMENT OF VOTING MACHINE
TECHNICIAN FOR BOARD OF ELECTIONS*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: A part-time Voting Machine Technician position became vacant on March 30th, 2019; and

WHEREAS: The Democratic Commissioner of the Board of Elections received authorization to backfill said vacancy; therefore be it

RESOLVED: That William F. Leonard is appointed to the title of Voting Machine Technician retroactive to April 1st, 2019, at the established non-union rate of \$16.93 per hour.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 138-19 *AUTHORIZE APPOINTMENT OF
COMMUNICATIONS AND e-SERVICES
COORDINATOR
PUBLIC HEALTH DEPARTMENT*

WHEREAS: The position of Communications and e-Services Coordinator has been vacant since October 2017, due to an incumbent's retirement; and

WHEREAS: Following recruitment efforts, the Public Health Director has identified a qualified candidate for said position; therefore be it

RESOLVED: That the Public Health Director is hereby authorized to appoint Jessica Casolite to the position of Communications and e-Services Coordinator effective April 29, 2019, at an annual salary of \$45,000; and be it further

RESOLVED: That Ms. Casolite's appointment shall be provisional pending the outcome of a civil service examination.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 139-19 *CREATE AND FILL HIGHWAY WORKER
(SEASONAL) POSITION
PUBLIC WORKS*

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2019; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective May 13, 2019 through October 11, 2019 at an hourly rate of \$11.10 (minimum wage), however no more than 900 hours may be worked May 13, 2019 – October 11, 2019.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Mullen, Sauerbrey, Standinger, Sullivan, Weston and Balliet.

No – None.

Absent – Legislators Monell and Roberts.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:20 P.M.

Fifth Regular Meeting
May 14, 2019

The Fifth Regular Meeting of 2019 was held on May 14, 2019 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for this day for the opportunity we have to be here. We pray that you will bless this meeting, help us to do those things that would be for the good of the County and for the citizens of the County. We pray that you would bless us in all that we do."

Legislator Monell led all Legislators and those in attendance in the Pledge of Allegiance.

There were 35 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Legislator Mullen read and presented the following recognition resolution to Michael Jackson, Undersheriff for the Tioga County Sheriff's Office.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 140-19 *RESOLUTION RECOGNIZING
MICHAEL A. JACKSON'S
37 YEARS OF DEDICATED SERVICE TO TIOGA
COUNTY*

WHEREAS: Michael A. Jackson was appointed as Deputy Sheriff on 1/1/82; promoted to Technical Sergeant on 12/30/89; and appointed as Undersheriff on 1/1/04; and

WHEREAS: Michael A. Jackson has been dedicated and loyal in the performance of his duties and responsibilities during the past 37 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Michael A. Jackson was instrumental in the financial aspects of the Sheriff's Office and his contributions to the daily operation of the Sheriff's Office will be sorely missed; and

WHEREAS: Michael A. Jackson will retire from the Tioga County Sheriff's Office on May 25, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Michael A. Jackson for his more than 37 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Michael A. Jackson.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "If you don't know me I am a man of few words. I can tell you when Sheriff Howard was elected Sheriff there was a lot of speculation over at the Trooper Barracks who was going to be his Undersheriff and when he named Mike there was a sigh of relief across the river because Mike always worked well with the other agencies and he was a professional. There was many a time that we Troopers we needed some equipment and most people don't know this Mike also oversees Stop DWI and some of the fine money goes to buy equipment. Mike was so gracious back in the day that we got all the PDTs, the portable breath tests for the troop cars, Mike got them for us and rechargeable flashlights and much of the equipment that the State Police just did not issue, but came to the State Police and troopers that patrol Tioga County through Mike's own efforts.

"Personally I appreciate that because I was able to keep up and not get in trouble with the man. That speaks volumes about who Mike is and I can tell you when I became a Legislator and Chair of Public Safety I then came to know how much Mike actually does and it is amazing, it really is, and now retired Captain Tim Jewell said "if you want to know what is being spent, ask Mike Jackson because he has got spreadsheets for everything and he knows exactly what is

going on, and you will never have to worry about a penny missing because Mike will find that plus a nickel” and it is true. I am going to miss you, I know many people are going to miss you. I appreciate all you have done during my time as Legislator because whenever there was a problem that came up and we have had several phone calls over the last few years about budget and personnel issues, full time Correction Officers in the jail and how that process went forward, I was always able to talk to Mike and come from a different perspective and he was always willing to meet you halfway, but never without keeping public safety and what is good for the people his number one priority and I mean that sincerely. Thank you Mike, appreciate it.”

Sheriff Howard spoke. “There is a lot I could say and a lot I should not say, but I will say this I have been friends with Mike for over 37 years, I knew him before he even started working for the Sheriff’s Office. The last 15 years and 5 months he has been my Undersheriff. I think we worked well together. A couple of weeks ago we talked about this resolution, we talked about today, and he made me promise not to say anything, so I will not say anything other than thank you Mike Jackson for the 37 years of service to the County and the last 15 years, 5 months, 3 weeks, 2 days of being my Undersheriff. You will be missed. One thing we did on day one on January 1, 2000 forward there would never be any secrets between us and it has been that way ever since so thank you.”

Mike Jackson, Undersheriff, spoke. “I am going to keep it just as short I guess. I want to thank the Legislature for all the years. It has been a really really great career. I remember when I got out of the Military I did not think I was going to go into Law Enforcement, but when I got out there was a law that said you could not collect unemployment so I had to find a job and I was out eight days and Paul Rhodes, many of you remember him, said hey we have an opening down in the jail and I said great. I sort of landed and grew into the position. I am definitely going to miss my family. Not to work, it is time, but I do want to thank Sheriff Howard for believing in me and appointing me Undersheriff. It has been a challenge, but it has been very rewarding and we have one hell of an office, great people. Thank you.”

Chair Sauerbrey asked Legislator Sullivan to read and present the following Proclamation on Employee Recognition and Appreciation Week.

Legislator Sullivan spoke. “Good afternoon everyone. This is in recognition of all the employees of Tioga County and especially those who are celebrating milestone anniversaries, 25 year anniversaries and 30 year anniversaries. I call them milestones because to me I consider that a very great achievement in one’s life. We celebrate graduations from high school, graduations from college because students dedicate themselves to learn and study, and achieve their diploma, degrees, what have you. As adults however we don’t often get the

same kinds of recognition and to spend one's almost entire adult life pursuing their career, being successful at it, and at the same time marrying, raising children, juggling their household budget, and I think that speaks volumes as to why I consider it a milestone and I hope the 12 honorees today will feel the same way and take a sense of pride in that."

PROCLAMATION

WHEREAS: The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

WHEREAS: The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

WHEREAS: The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

WHEREAS: Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have attained 25 and 30 years since last year's ceremonies:

<u>Name</u>	<u>Department</u>	<u>Years</u>
David S. Ayers	Public Works	30
Stephanie Carrigg	Law	30
Susan Fortier	Sheriff's Office	30
Greg Hall	Sheriff's Office	30
Rita Hollenbeck	Treasurer's Office	30
Kristen Kallin	Probation	30
Beth Ayers	Social Services	25
Linda Beers	Mental Hygiene	25
Alan Bobier	Sheriff's Office	25
Cathy Haskell	Legislature	25
Todd Kopalek	Public Health	25
James McFadden	Treasurer's Office	25

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of May 20th – 24th, 2019 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

In the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.

Legislator Sullivan spoke. "I note that not all of the 12 honorees could be here today, but those of you who are when I call your name please come forward and I will give the honorees a copy of the Proclamation."

Chair Sauerbrey asked Legislator Standinger to read and present the following Proclamation on American Stroke Month in Tioga County to Lisa McCafferty, Public Health Director.

Legislator Standinger spoke. "First of all I am going to admit that I am violating protocol somewhat. I am wearing this red shirt because it is stroke awareness month and since I was a recipient of a stroke I take this matter to heart, so I am going to go ahead and read it."

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States, killing over 140,000 people nationwide and more than 20 citizens of Tioga County each year; and

WHEREAS: Stroke prevalence is projected to increase by 20.5% between 2012 and 2030 and the direct medical costs in the U.S. for treating stroke are expected to increase by 158% from \$71 billion in 2012 to \$183 billion by 2030; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Americans are more aware of the risk factors and warning signs for stroke than in the past, but according to a recent survey, one-third of adults cannot identify any symptoms; and

WHEREAS: Studies show that the quick actions by EMS professionals are instrumental in saving lives from stroke and producing better outcomes for stroke survivors, but more than a third of stroke patients fail to use EMS; and

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2019 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms of the F.A.S.T. protocol (Face, Arms, Speech, Time), and at the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "I do want to say that I was very fortunate that I was able to call someone who came and recognized I was having a medical problem 10 years ago and as a result of that I am here today. Some people might not be happy with that, but so what I am here as a result of someone recognizing a medical problem. It is very important to recognize any of these symptoms. I can tell you I had no idea what was happening to me until I had someone sticking needles in my arm telling me I was having a stroke and believe me that is no fun."

Lisa McCafferty, Public Health Director, spoke. "Good afternoon everyone. Thank you Legislator Standinger, we really appreciate your efforts to raise awareness about stroke. It is serious. It is significant. I do not want to be depressing on this nice rainy day, but this is something that can impact anyone, anywhere, anytime. To that end you will see Public Health Department we are going to be messaging a lot on the face, arm, speech and time, the F.A.S.T all over the place, so pay attention and hopefully we can help people save lives. Thank you."

Chair Sauerbrey noted the following Proclamation on Mental Health Awareness Month & Children's Mental Health Week.

2019 PROCLAMATION

Mental Health Awareness Month & Children's Mental Health Week

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable; and

WHEREAS: There is evidence that early intervention, family-centered care for children, and person centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing and recovery for the citizens of Tioga County who experience symptoms of mental illness, and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2019 as *Mental Health Awareness Month* and May 5th – 11th, 2019 as *Children's Mental Health Week* in Tioga County.

Chair Sauerbrey noted the following Proclamation on Foster Care Recognition Month.

FOSTER CARE RECOGNITION MONTH PROCLAMATION

WHEREAS: The Tioga County foster family serves as a source of safety, love, self-esteem and support for children in Tioga County; and

WHEREAS: There are 29 children in foster care in Tioga County, 20 of these children are in foster homes, with 6 being in relative foster home placements; and

WHEREAS: We have 18 certified foster homes in Tioga County with 5 of them being approved relative homes; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE hereby Proclaims May 2019, as

FOSTER CARE RECOGNITION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize foster parents in Tioga County.

Chair Sauerbrey noted the following Proclamation on Elder Abuse Prevention Month.

PROCLAMATION

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: The Sheriff's Department will directly charge the Department of Social Services for security services, escort, protection and transport services pursuant to a Cooperative Agreement; and

WHEREAS: ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; now therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair of the Legislature to execute the Cooperative Agreements referenced above; and be it further

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ITCS COMMITTEE AND
LEGAL COMMITTEE

RESOLUTION NO: 142-19 *AUTHORIZATION TO ENTER INTO
AN AGREEMENT WITH BROOME COUNTY TO
CORRECT BOUNDARY LINES BETWEEN
TIOGA COUNTY AND BROOME COUNTY*

WHEREAS: Incorrect boundary lines between Tioga County and Broome County in the Town of Newark Valley and the Town of Owego are currently reflected as the U.S. Census Bureau municipal boundaries; and

WHEREAS: Residents of areas adjacent to the incorrect boundary lines are counted by the Census Bureau as living in Broome County instead of Tioga County; and

WHEREAS: Tioga County is desirous of correcting the boundary lines so that residents living in those areas are correctly counted by the U.S. Census Bureau as residing in Tioga County, which boundary lines are set forth in the five polygons shown on maps as Attachments 1, 2, 3, 4, and 5 to the agreement between Tioga County and Broome County; and

WHEREAS: Broome County agrees to the correction of the boundary lines as set forth in the five polygons shown on said maps attached to said agreement as Attachments 1, 2, 3, 4, and 5 and to the U.S. Census Bureau correcting the municipal boundary; now therefore be it

RESOLVED: That the Tioga County Legislature hereby agrees to enter into an agreement with Broome County to correct said boundary lines as set forth in the five polygons shown on the maps attached to said agreement as Attachments 1, 2, 3, 4, and 5 and to the U.S. Census Bureau correcting the municipal boundary; and it is further

RESOLVED: That the Chair of the Legislature is hereby authorized to sign said agreement to correct said boundary lines.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 143-19 *AUTHORIZE NO COST EXTENSION TO
TETRATECH CONTRACT FOR
HAZARD MITIGATION PLAN GRANT*

WHEREAS: The Tioga County Legislature authorized via resolution 50-18 awarding the Hazard Mitigation Plan Update contract to Tetrattech; and

WHEREAS: The stated deadline for completion of this project in the Request for Proposals was August 2018; and

WHEREAS: Due to numerous additional requirements from NYS DHSES, Tetrattech's completion of the draft Hazard Mitigation Update was delayed and this consultant contract needs extension until the expiration date of the NYS DHSES grant contract which is August 30, 2019; and

WHEREAS: NYS DHSES has just completed a compliance review of the Draft Hazard Mitigation Plan and has passed the Plan to FEMA to conduct its agency compliance review which could take up to 45 days; and

WHEREAS: Tetrattech's consultant services are needed to respond to both NYS DHSES and FEMA's review requirements in order to finalize this document; therefore be it

RESOLVED: That the Tioga County Legislature authorize a no-cost extension of said Tetrattech contract to August 30, 2019.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 144-19 *AUTHORIZE THE SUBMISSION OF
2020 PSAP OPERATION GRANT*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced the 2020 PSAP (Public Safety Answering Point) Operation grant funding; and

WHEREAS: Applications for this grant are required to be submitted in June of 2019; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 145-19 APPROVE APPLICATION FOR NYS DHSES
CYBERSECURITY GRANT

WHEREAS: The Tioga County Legislature recognizes the growing need for improved cybersecurity infrastructure; and

WHEREAS: The Information Technology and Communication Services department has identified the New York State Department of Homeland Security and Emergency Services fiscal year 2018 Cyber Security Grant Program (CSGP) as a potential funding source for needed cybersecurity software; and

WHEREAS: The CSGP offers up to \$50,000 for cybersecurity-related purchases for municipalities; and

WHEREAS: The Information Technology department has identified a specific software package to apply for under this grant; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the ITCS department to complete and submit an application for the NYS DHSES FY 2018 Cyber Security Grant Program in an amount not to exceed \$50,000.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 146-19 *AWARD CONTRACT
RADIO CONSULTING SERVICES
AND TRANSFER OF FUNDS
STATE INTEROPERABLE 17 GRANT*

WHEREAS: The Tioga County Office of Emergency Services has a need to continue the upgrade and replacement process of its current radio communications system due to poor performance issues; and

WHEREAS: The Director of Emergency Services would like to contract with Federal Engineering, Inc. at a cost of \$57,730; and

WHEREAS: Federal Engineering, Inc. is listed on the General Services Administration contract; and

WHEREAS: There are sufficient funds in the State Interoperable Grant17, and

WHEREAS: A budget transfer needs to be done to fund the appropriate budget line items; therefore be it

RESOLVED: That the Chair of the County Legislature is authorized to execute a contract between Tioga County and Federal Engineering, Inc. setting forth the rights and obligations of the parties consistent with the proposal submitted by Federal Engineering, Inc. upon review by the County Attorney; and be it further

RESOLVED: That a transfer of funds be done as follows:

FROM: A3415.520230 IO17 Radio & Equipment \$66,515.14

TO: A3415.540140 IO17 Contracting Services \$66,515.14

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: 147-19 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period October 1, 2018 to March 31, 2019 be and it hereby is accepted; further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 17,148.64
Berkshire (Town)	4,081.21
Candor (Town)	11,651.31
Candor (Village)	1,226.86
Newark Valley (Town)	9,612.54
Newark Valley (Village)	2,320.59
Nichols (Town)	7,375.17
Nichols (Village)	462.89
Owego (Town)	81,281.16
Owego (Village)	30,279.56
Richford (Town)	1,194.50
Spencer (Town)	10,127.46
Spencer (Village)	2,687.63
Tioga (Town)	12,361.21
Waverly (Village)	16,903.28
	<hr/>
	\$208,714.01

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 148-19 *AWARD CONSTRUCTION
WEST RIVER DRIVE OVER WALKER CREEK
PIN 9754.52*

WHEREAS: Tioga County was awarded funding for this project through NYSDOT; and

WHEREAS: Funding is available for the construction of the West River Drive over Walker Creek culvert PIN 9754.52 ; and NYSDOT has concurred with the award; and

WHEREAS: The Commissioner of Public Works received sealed bids on April 2, 2019 and the bids came in as follows:

Silverline Construction	\$357,665.00
Gorick Construction	\$364,000.00
R. DeVincentis Construction, Inc.	\$367,000.00
Procon Contracting, LLC	\$404,000.00
Bothar Construction, LLC	\$547,700.00

and

WHEREAS: Tioga County DPW has completed the review of the bids and finds the low bidder Silverline Construction, Burdett, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Silverline Construction, Burdett, NY not to exceed \$357,665.00 to be paid out of the following account:

H5110.520003.H1709 – West River Drive over Walker – PIN 9754.52 \$357,665.00

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 149-19 TRANSFER FUNDS/FUND SELF-
INSURANCE PLAN RESERVE

WHEREAS: Tioga County Local Law No. 2 of 2015 established a Contributed Reserve cap of \$6,000,000 for the Tioga County Self Insurance Plan; and

WHEREAS: Tioga County Local Law No. 2 of 2015 allows for the transfer of surplus funds from the fund balance to the reserve; and

WHEREAS: The 2018 Tioga County Self Insurance operating budget had surplus funds of \$523,084.24 in the fund balance; and

WHEREAS: The December 31, 2018 Tioga County Self Insurance Plan Fund Balance is \$1,523,084.83; and

WHEREAS: The December 31, 2018 Tioga County Self Insurance Contributed Reserve Fund is \$2,553,320.83; therefore be it

RESOLVED: That the Tioga County Treasurer is authorized to transfer funds as follows:

From: Self-Insurance Fund Balance S390900	\$523,084.24
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To: Self-Insurance Contributed Reserve Fund S375300	\$523,084.24
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ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRING TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 151-19 *MODIFY 2019 BUDGET
HAZARD MITIGATION PLANNING GRANT 2016
(HMP16)EMERGENCY SERVICES*

WHEREAS: Prior year grant funds needed to be re-established for the remaining unspent grant balance for the year-end 2018; and

WHEREAS: The Treasurer's Office closed out the 2018 budget in February 2019, thus voiding any 2018 encumbered purchase orders for grant funds; and

WHEREAS: Monies need to be re-established in order to complete the Hazard Mitigation Planning Grant 2016; therefore be it

RESOLVED: That the 2019 Office of Emergency Services budget be modified as follows:

EMO – HMP16 RESO 261-17

A3360 .540140 Contracted Services	\$10,654
A3360.443566 State Aid – HMPG16	\$10,654

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 152-19 *AMEND 2019 BUDGET & AUTHORIZE
APPROPRIATION OF FUNDS FROM FMAS
RESERVE*

WHEREAS: Tioga County established a Financial Management Accounting System (FMAS) Capital Reserve Account; and

WHEREAS: The original contract per Reso 230-14 with Tyler Technologies still had remaining days available for training & additional services from Tyler Technologies, outside the scope of the original contract; and

WHEREAS: Tioga County requested assistance implementing Munis Modules, including Fixed Asset Setup, Data Import, Budget Projection & Preparation, AUD Building & Reporting, and TCM Setup and Utilization; and

WHEREAS: Costs for additional training are to be charged to H1325 540140 Contracted Services as they are associated with the Treasurer's Department's Capital Account; and

WHEREAS: Legislative Approval is needed to modify the 2019 Budget; and

WHEREAS: Costs for the additional implementation should be reimbursed through the Financial Management Accounting System (FMAS) Capital Reserve Account H 387808 which requires appropriating funds from the reserve as well as legislative approval; therefore be it

RESOLVED: That the additional costs, estimated at \$30,000.00 for Munis Training and Implementation be funded and the Treasurer's Capital Account be modified as follows:

FROM:	H 387808	FMAS Capital Reserve Account	\$30,000.00
TO:	H1325 540140	Treasurers Capital Account	\$30,000.00

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 154-19 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from Excellus Blue Cross Blue Shield's Community Health Improvement Initiative; and

WHEREAS: The funding is designated for the new Mobile Dental Unit; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4064 42280 0	Dental: Grants	\$ 16,500
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To: A4064 540640	Dental: Supplies	\$ 16,500
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ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 155-19 TRANSFER OF FUNDS
BUDGET MODIFICATION
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office has a need to furnish the office and conference room for the newly hired Investigator; and

WHEREAS: The District Attorney's budget does not have sufficient funds in their office equipment account; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the District Attorney's budget be modified and funds be transferred as follows:

From: A1165 540040 Books	\$1,650.00
To: A1165 520200 Office Equipment	\$1,650.00

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 156-19 *AMEND 2019 PROBATION BUDGET*

WHEREAS: The NYS Division of Budget notified Tioga County on April 5, 2019, that Tioga County's Comprehensive Raise the Age Plan had been partially approved, the Probation Department needs to amend the 2019 budget to reflect approved funding; and

WHEREAS: Appropriation of funds and budget modifications requires legislative approval. The changes listed below will increase revenue by \$8,856.91 and decrease expenditures by \$ 4,223.77; now therefore be it

RESOLVED: That the 2019 Probation Budget be amended as follows:

Revenue:

Org:	Description:	2019 Revised	2019 Amended
A3140 433180	State Aid STSJP	40,558.28	11,902.14
A3140 433180 RTA	St. Aid STSJP- RTA	0	1,908.00
A3140 433182 RTA	State Aid –RTA	88,723.95	124,329.31

Expenditures:

Org:	Description	2019 Revised	2019 Amended
A3140 540140	Contracting Services	45,138.67	5,640.00
A3140 540140 RTA	Contracting Services RTA	32,909.20	72,510.00
A3140 540220 RTA	Auto Fuel	0	1,230.00
A3140 540620	Software Expense	14,075.00	5,362.94
A3140 540660 RTA	Telephone RTA	1,440.00	1,800.00
A3140 540731 RTA	Training RTA	0	3,068.16

ATI:

Org:	Description	2019 Revised	2019 Amended
A3142 540140 RTA	Contracting Services - STSJP-RTA	2,000	1,908

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING
FINANCE COMMITTEE

RESOLUTION NO. 157-19 *MODIFY 2019 BUDGET AND APPROPRIATE FUNDS TO ECONOMIC DEVELOPMENT AND PLANNING*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution #273-18 to accept a Land Bank Community Revitalization Initiative (CRI) Program grant in the amount of \$500,000; and

WHEREAS: Included in the grant award is \$65,065 to provide funding toward the cost of administration, office space and equipment for use by TCEDP for the period of January 2, 2019 through December 31, 2020; and

WHEREAS: The office space associated with the Land Bank operations totals 220 square feet at a rate of \$15.18 per square foot for a total of \$3,339.60; and

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution #112-19 for the hire of Teresa Saraceno as part-time Land Bank Director; and

WHEREAS: This appointment will be at an annual non-union salary of \$29,250 and effective on or after April 30, 2019; therefore be it

RESOLVED: That the 2019 Budget be modified as follows:

From:		
A6422 421891	Other Revenue Home & Community	\$32,532.50
TO:		
A6422 510020	PT Salary	\$19,500.00
A6422 583088	FICA	\$ 1,492.00
A6422 584088	Workman's Comp	\$ 1,254.00
A6422 540140	Contracting Services	\$ 599.00
A6422 540420	Office Supplies	\$ 1,000.00
A6422 540485	Printing/Paper	\$ 1,000.00
A6422 540733	Training	\$ 2,000.00
A6422 540010	Advertising	\$ 2,300.00
A6422 540480	Postage	\$ 45.00

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 158-19 *MODIFY 2019 BUDGET AND APPROPRIATE FUNDS TO ECONOMIC DEVELOPMENT AND PLANNING*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution #111-19 for the reclassification of the Deputy Director of Economic Development to Deputy Director of Economic Development and Planning at an annual salary of \$54,943; and

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution #110-19 for the reclassification of the Associate Planner position to a Community Development Specialist position at an annual salary range of \$43,985-\$54,985; and

WHEREAS: Brittany Woodburn has been provisionally appointed to the Deputy Director of Economic Development and Planning; and

WHEREAS: The Director of Economic Development & Planning has conducted a recruitment search and has identified a qualified candidate for the Community Development Specialist provisional appointment at an annual salary of \$50,000; and

WHEREAS: There are cost savings related to salary and fringes due to attrition following the recent retirement of the Deputy Director of Economic Development and the hire of the Community Development Specialist at a lower salary; most of which are covered under the 2019 budget with the exception of the budget modification as follows: therefore be it

RESOLVED: That the 2019 Budget be modified and funds be appropriated as follows:

TO:		
A6422 510010 FT SALARY		\$12,000.00
A6422 586088 HEALTH INS & HRA		\$ 9,220.00

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 159-19 *APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD*

WHEREAS: The Town of Spencer position on the Tioga County Planning Board has been vacant since 2014 when Nathan Clark resigned; and

WHEREAS: The Village of Spencer Board of Trustees has nominated Tim Goodrich to serve in this capacity and the Spencer Town Board has been notified and approved this action; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoint Tim Goodrich to the Tioga County Planning Board, replacing Nathan Clark, for term effective 5/15/2019 – 12/31/21.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 160-19 *RESOLUTION TO DECLARE WORK DAY
STATUS FOR ELECTED AND
APPOINTED OFFICIALS*

WHEREAS: Resolutions 206-09, 127-16, 230-17, and 30-18 established a standard work day for elected and appointed officials for New York State and Local Employees' Retirement System reporting purposes; and

WHEREAS: Resolution 38-19 increased the position of Public Defender and 2nd Assistant Public Defender from part-time to full-time and created a full-time Secretary to the Public Defender, each position 35 hours a week, effective January 21, 2019; therefore be it

RESOLVED: That effective January 21, 2019 the Tioga County Legislature hereby changes the standard work day for the Public Defender's Office for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System as follows:

Appointed Officials

Five day work week, seven hour day: Public Defender
1st Assistant Public Defender
2nd Assistant Public Defender
Secretary to the Public Defender

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 161-19 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
Legislator	Martha Sauerbrey	6	01/01/19 – 12/31/21	N	25.20
Legislator	Loretta Sullivan	6	01/01/19 – 12/31/21	N	4.09
Appointed Officials					
1 st Assistant Public Defender	Todd Miller	7	01/01/19 – 12/31/21	N	10.46

I, Maureen L. Dougherty, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 14th day of May, 2019 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

employment opportunities; and to assist Workforce staff and businesses in maintaining current job listings; and

WHEREAS: Acara (formerly Superior Group) is able to provide such services for the Tioga Career Center, from July 1, 2019 to June 30, 2020, and said contract is to be funded entirely by the Workforce Innovation Opportunity Act; and

WHEREAS: The funds necessary for said contract are included in the WIOA PY 2019 Budget under the WIOA Grant; and

WHEREAS: The Supervisor of the Tioga Career Center is authorized to enter into such contract as indicated; and

WHEREAS: Said contract would provide for compensation at the bill rate of \$14.21 per hour from 7/1/19-12/30/19, and \$15.10 per hour from 12/31/19-6/30/20 at a maximum of 25 hours per week; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Supervisor of Tioga Career Center to enter into a contract, upon approval by the County Attorney, with Acara at the above bill rate(s) effective July 1, 2019 through June 30, 2020.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 163-19 AMEND RESOLUTION 105-19
PUBLIC WORKS

WHEREAS: Resolution 105-19 authorized the creation of two (2) full-time, temporary Construction Inspectors effective May 1, 2019, to work for a duration of at least 12, but no more than 25 weeks during 2019; and

WHEREAS: Due to the need to initiate construction projects earlier and for a longer duration than indicated on said resolution, the Commissioner of Public Works has received verbal approval from his legislative committee to authorize employment effective April 15, 2019, for Peter Schultz, who is returning to this seasonal position; therefore be it

RESOLVED: That Resolution 105-19 is amended to reflect that one (1) of the full-time, temporary Construction Inspector positions shall be effective retroactive to April 15, 2019; and be it further

RESOLVED: The two (2) Construction Inspectors created by Resolution 105-19 shall be employed for a temporary duration not to exceed 35 weeks at 40 hours per week.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 164-19 *AUTHORIZE POSITION RECLASSIFICATION
PUBLIC WORKS*

WHEREAS: Legislative approval is required for any position reclassification; and

WHEREAS: As a result of the recent desk audit of a Maintenance Mechanic II (CSEA Grade 4) employee within the Department of Public Works, justification supports that the work being performed on a regular, routine basis is that of a Maintenance Mechanic III (CSEA Grade 3) and representative of a hourly rate difference of .694; therefore be it

RESOLVED: That Thomas Murray's position, Maintenance Mechanic II, shall be reclassified to Maintenance Mechanic III effective retroactive to February 19, 2019; and be it further

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 166-19 *AUTHORIZE APPOINTMENT OF
UNDERSHERIFF
SHERIFF'S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: Due to retirement, the position of Undersheriff within the Sheriff's Office will become vacant on May 25, 2019; and

WHEREAS: The Sheriff has identified a qualified candidate to appoint to the position; and

WHEREAS: During the April 18, 2019, Legislative work session, consensus was given to the Sheriff on the salary offer for his selected candidate; therefore be it

RESOLVED: That the Sheriff is hereby authorized to promote Wayne Moulton to the title of Undersheriff at an annual, non-union salary of \$84,000 effective May 25, 2019.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 167-19 *INCREASE IN HOURS OF PART-TIME POSITION;
BACKFILL POSITION
DEPARTMENT OF EMERGENCY SERVICES*

WHEREAS: The Department of Emergency Services has identified a need to increase the hours of one part-time Assistant Fire Coordinator position to meet the needs of the Emergency Medical Services program; and

WHEREAS: The additional funds were allocated in the 2019 Budget; therefore be it

RESOLVED: That the vacant Assistant Fire Coordinator position be increased in hours to 17 per week effective May 29, 2019 and the corresponding non-union salary range be established as \$9,900 – 10,148; and be it further

RESOLVED: That the Director of Emergency Services is hereby approved to appoint Becky Roden to the 17 hr/wk Assistant Fire Coordinator position at an annual salary of \$10,000 effective May 29, 2019.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 168-19 *DECREASE INFORMATION SECURITY OFFICER
SALARY
LEGISLATIVE OFFICE*

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolution considered, seconded by Legislator Mullen and carried.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED & P COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 170-19 *AUTHORIZE APPOINTMENT OF COMMUNITY DEVELOPMENT SPECIALIST IN THE ECONOMIC DEVELOPMENT & PLANNING DEPARTMENT*

WHEREAS: Resolution 110-19 authorized the funding of a full-time Community Development Specialist position; and

WHEREAS: The Director of Economic Development & Planning has conducted a recruitment search and has identified a candidate, which Personnel has found to be qualified; therefore be it

RESOLVED: That the Director of Economic Development & Planning is hereby authorized to appoint Abbey Hendrickson to the position of Community Development Specialist at an annual salary of \$50,000 effective on or after June 24th, 2019, but in accordance with payroll processing standards; and be it further

RESOLVED: That said appointment shall be provisional pending the outcome of a civil service examination.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet and Hollenbeck.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:31 P.M.

*Fifth Special Meeting
May 23, 2019*

The Fifth Special Meeting of 2019 was called to order by the Chair at 10:00 A.M. Seven Legislative members were present with Legislators Monell and Standinger being absent.

Chair Sauerbrey had moment of prayer. "Heavenly Father, we ask you to bless us this day when we make decisions for the good of others, watch over our County, protect it and keep it safe, and we are mindful of all the Veterans and all those that have fought for our freedom and on this Memorial Day we ask for your blessing on all those that have passed."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were four people in attendance.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 171-19 *AUTHORIZE APPOINTMENT OF ASSISTANT PUBLIC
DEFENDER FOR FAMILY COURT
PUBLIC DEFENDER*

WHEREAS: The position of Assistant Public Defender for Family Court will become vacant on May 25, 2019; and

WHEREAS: The Public Defender has recruited for said position; and

WHEREAS: The Public Defender has identified Sarah M. Schrader as being a qualified candidate to fill the position of Assistant Public Defender; therefore be it

RESOLVED: That the Public Defender is hereby authorized to appoint Sarah M. Schrader to the position of Assistant Public Defender effective May 28, 2019 at an annual salary of \$60,000.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Sullivan, Weston, Balliet, Hollenbeck and Mullen.

No – None.

Absent – Legislators Monell and Standingier.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 172-19 *CREATE AND FILL TEMPORARY, FULL-TIME,
CLERK (SEASONAL) POSITION
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for the creation of any new position within Tioga County; and

WHEREAS: The Treasurer's Office has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the office; and

WHEREAS: The Treasurer appropriately budgeted for said position in the approved 2019 budget; therefore be it

RESOLVED: That the Treasurer is hereby authorized to create and fill one (1) temporary, full-time position of Clerk (Seasonal) at the 2019 established rate of \$12.10 per hour effective May 29, 2019 through August 30, 2019.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Sullivan, Weston, Balliet, Hollenbeck and Mullen.

No – None.

Absent – Legislators Monell and Standingier.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:03 A.M.

Sixth Regular Meeting
June 11, 2019

The Sixth Regular Meeting of 2019 was held on June 11, 2019 and was called to order by the Chair at 6:02 P.M. Eight Legislative members were present with Legislator Monell being absent.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Heavenly Father we thank you for our freedom, we thank you for your guidance in good governance of our fellow citizens and the people of our County, thank you for the blessings of our family and our friends and their good health."

Legislator Mullen led all Legislators and those in attendance in the Pledge of Allegiance.

There were 5 people in attendance.

Chair Sauerbrey stated that we have two Proclamations to present as follows:

Legislator Roberts read and presented the following Proclamation on Plastic Free Day to Ellen Pratt, Materials Recovery Manager.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Tioga County recognizes that waste disposal and recycling issues have both environmental and economic costs; and

WHEREAS: These issues lessen the effectiveness of our businesses and increase pressure on the environment through loss of natural resources, harming the vitality of our communities; and

WHEREAS: The economic burden is amplified in Tioga County due to the lack of a landfill within the County; and

WHEREAS: Recent articles and programs, have brought to life the risk that single-use plastic has on our resources and the environment; and

WHEREAS: Educating and raising the awareness of residents and businesses about the benefits of going single-use plastic free by columns, art exhibits, and other activities; and

WHEREAS: Each of us needs to do our part by taking personal responsibility to improve behaviors and practices by learning how we can reduce or even eliminate our usage of single-use plastics; and

WHEREAS: Both the Tioga County Sustainability Manager and Tioga County Public Health support these initiatives; therefore be it

RESOLVED: THAT THE TIOGA COUNTY LEGISLATURE does hereby proclaim the week of June 29, 2019 as

PLASTIC FREE DAY

And urges all residents to take steps to educate themselves, their families, and the community about the role of reducing or even eliminating our usage of single-use plastics.

Ellen Pratt, Tioga County Sustainability Manager spoke. "First I would like to thank the Legislature for supporting us in having a Tioga County plastic free day and I would like to share a little bit, I have been putting out articles in the local newspapers and we have had one TV news and we are going to be doing a couple of radio stations, talking about and educating about single use plastic and how you can save money in using mason jars or pyrex containers instead of bags or saran wrap.

"I put on your desks two reusable bags, one is one that came out of my Department and actually advertises the plastic free day and also has a flyer within it. The other one is donated by Taylor Garbage to support our Tioga County plastic free day. Feel free to take them with you and read the flyer that is in it that has a little more information on what we are doing. On June 29th we will be having an event at Tioga County Tourism where we will have cycled art work. We will have activities like test your recycling knowledge and test your knowledge on how to use Tioga County recycling website and other fun activities. Thank you again."

Legislator Standinger read and presented the following Proclamation on preventing vector-borne diseases to Lisa McCafferty, Public Health Director of the Tioga County Public Health Department.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Summer in upstate New York is upon us and that means it is mosquito, flea, and tick season; and

WHEREAS: Vector-borne diseases account for more than 17% of all infectious diseases, causing more than 700,000 deaths annually. Vector-borne diseases have a long history of death and illness, including the "Great Plague" and malaria; and

WHEREAS: Nationally, cases of vector-borne diseases have tripled. Tioga County Public Health reports a steady climb in Lyme disease cases spread by deer ticks; and

WHEREAS: Vector-borne diseases are to be taken seriously as they can significantly impact the health of our community; and

WHEREAS: Vectors include mosquitos, fleas, and ticks, which are capable of spreading diseases through tiny bites which often go undetected; and

WHEREAS: Preventing mosquito, flea, and tick bites is important. This is as easy as using insect repellent, wearing long-sleeves, and checking for ticks on your body daily; therefore

THE TIOGA COUNTY LEGISLATURE recognizes the importance of preventing vector-borne disease and urges all the citizens of our county take action to protect themselves and their family.

Legislator Standinger spoke. "A couple of weeks ago I had several ticks on me and I had to go and get the antibiotic and I had the test done and apparently I am negative so that is good for me. I know a gentleman seated to my left who went through the Lyme disease issue and it is no fun so be careful around ticks."

Lisa McCafferty, Public Health Director spoke. "Good evening everyone. I guess after that, that kind of sums it up. It is out there, it is real, it happens, so we want you to enjoy your summer, but just be a little mindful if you see critters on you, any kind of critters, raccoons, ticks, fleas, whatever, they are all out there. Enjoy your summer. Thank you."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of May 14 and 23, 2019, seconded by Legislator Hollenbeck with Legislator Monell being absent and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: 173-19 *OPPOSING SENATE BILL S1747 AND
ASSEMBLY BILL A3675
DRIVER'S LICENSE ACCESS AND
PRIVACY ACT*

WHEREAS: Holding a driver's license in New York State is a privilege, not a right; and

WHEREAS: The granting of a driver's license is a privilege for people who have followed the law and have proven themselves capable of operating an automobile; and

WHEREAS: This Legislature supports current statutes that authorize the issuance of driver's licenses to eligible individuals who enter the country in accordance with laws of the United States of America and New York State; and

WHEREAS: A bill known as the "Driver's License Access and Privacy Act" has been introduced in the New York State Senate (S.1747) and the New York State Assembly (A.3675) which, if enacted into law, would permit undocumented individuals who are present in the United States of America illegally under federal law to obtain a driver's license; and

WHEREAS: New York State presently suspends or revokes driver's licenses for various illegal acts, including non-payment of child support, delinquent taxes, and refusal to submit to a breathalyzer, yet this Act would reward illegal entry into the United States with a driver's license; and

WHEREAS: Adoption of the Act would create unacceptable security risks because:

- there is no guarantee the identity of undocumented individuals can be properly verified by the State of New York if the federal government has not issued a green card or visa, and the Act's proposed privacy protections may frustrate federal immigration enforcement efforts; and
- local Department of Motor Vehicles (DMV) offices do not have the expertise needed to determine the authenticity of foreign birth certificates, foreign passports, consular cards or to verify evidence of an undocumented individual's residency in the state; and

- driver licenses can be used to obtain additional official identification documents intended only for United States citizens; and
- the Act would eliminate the NYS DMV's 2002 requirement that Social Security Numbers be verified with the Social Security Administration to confirm an applicant's full identity when obtaining a standard driver's license or non-driver ID, which requirement has led to the discovery of massive amounts of fraudulent activity, including identity theft, bank fraud, insurance fraud, and multiple licenses to avoid loss of driving privileges or active warrants; and

WHEREAS: There is no guarantee that passage of the Act would make New York State roads safer; and

WHEREAS: The approval of the Act would increase opportunities for voter fraud as illegal immigrants applying for a driver's license would be prompted by the NYS DMV's license registration system to register to vote, and there are currently no protections in the system that would prevent an illegal immigrant from registering to vote; and

WHEREAS: The Tioga County Legislature encourages all immigrants to pursue the path to legal citizenship, and recognizes and appreciates the efforts that immigrants must undertake to become United States citizens; and

WHEREAS: Legal immigrants are lawfully entitled to obtain a license or non-driver ID during their stay; and

WHEREAS: Our Administrative Services Committee, the Tioga County District Attorney Kirk O. Martin, Tioga County Sheriff Gary Howard, and Tioga County Clerk Andrea Klett have all recommended that this Legislature express its strong opposition to the adoption and enactment into law of the "Driver's License Access and Privacy Act"; now therefore be it

RESOLVED: That the Tioga County Legislature hereby opposes the adoption of the "Driver's License Access and Privacy Act" which would allow the issuance of licenses to undocumented individuals and create security risks, and because driving is a privilege, not a right; and be it further

RESOLVED: That the Clerk of this Board shall send a copy of this resolution to Governor Andrew M. Cuomo, Temporary President and Majority Leader of the Senate Andrea Stewart-Cousins, Speaker of the Assembly Carl E. Heastie, Senate Minority Leader John J. Flanagan, Assembly Minority Leader Brian M. Kolb, and our local State legislators.

Legislator Standinger spoke. "It seems like we are under assault by the lawmakers in Albany. This is probably the most poorly conceived idea that I have seen recently and if it gets through we are going to have problems as a result so I pray that somehow they inject some reasoning into their thinking and not pass this act."

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 174-19 *AWARD BID FOR TRANSPORTATION SERVICES TO
EARLY INTERVENTION AND PRESCHOOL SPECIAL
EDUCATION CHILDREN'S PROGRAM
PUBLIC HEALTH*

WHEREAS: Bids have been received for the Provision of Transportation Services to Early Intervention and Pre-School Special Education Children; and

WHEREAS: Only one bid was received (pricing based on a one-way trip) and was opened on May 30, 2019, and the bid result was as follows:

Serafini Transportation Corp.
Zone 1: \$49.21 (including monitor)
Zone 2: \$66.12 (including monitor)
Blending of Zone 1 & 2: \$53.81 (including monitor)

and

WHEREAS: Funds have been included in the Public Health Department budget for this service; and

WHEREAS: Serafini Transportation Corp. has been determined to be the responsible bidder proposing the lowest unit price per child based on a one-way

transportation cost, and whose proposal complies with all provisions to render it formal and legal and whose proposal is considered to be in the best interest of Tioga County; and

WHEREAS: The Director of Public Health is in agreement with this determination in the provision of transportation of Tioga County's most vulnerable young citizens; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Public Health Department to enter into a contract with Serafini Transportation Corp. for the Provision of Transportation Services to Early Intervention and Preschool Special Education Children based on stated stipulated cost of \$49.21 for Zone 1; \$66.12 for Zone 2; and \$53.81 for blended Zone 1 and Zone 2 per one-way trip for the period of July 1, 2019 through June 30, 2022.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 175-19 ACCEPT INDIGENT LEGAL SERVICES AWARD

WHEREAS: The Assigned Counsel Administrator's Office has been awarded The Statewide Expansion of the Hurrell-Harding Grant in the amount of \$2,313,043.26 to be spent from April 1, 2018 to March 31, 2023; and

WHEREAS: The 2019 Budget appropriation of \$154,202.88 for the first year was done 1/15/19; in order to fund the Public Defender's Office Expansion. Future year Budget Amendments will be done upon Budget Approval of NYS; therefore be it

RESOLVED: That the ILS Grant of \$2,313,043.26 be accepted and approved.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 176-19 *AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT
APPLICATION (SHSP19)
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The Office of Homeland Security has issued a grant of \$69,980 to the Tioga County Office of Emergency Services. The grant will be used for equipment, planning, and an emergency notification system. 25% of the monies will be appropriated to the Sheriff's Office (\$17,495) and 75% to Emergency Management (\$52,485); and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by May 15, 2019; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be authorized to apply for this grant application, after the fact, to be in compliance with county policy.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 177-19 APPROVE FUNDING
2019 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: The Tioga County Legislature approves Youth Bureau program funding which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2019 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; now therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2019 be approved by the Tioga County Legislature in the amounts indicated:

Cornell Cooperative Extension 4H Summer Youth Enrichment	\$ 4,000
Big Brothers Big Sisters Mentoring	\$ 3,000
Village of Newark Valley Summer Rec	\$ 2,250
Cornell Cooperative Extension Family Resource Center	\$ 5,000
Spencer Van-Etten Schools PAVE	\$ 5,175
Tioga Central Schools Summer Rec	\$ 8,000
Village of Waverly Summer Rec	\$ 5,000
Casa Trinity Teen Space	\$ 2,880
Catholic Charities YES	\$ 4,500
Kali's Klub House 7 Keys to Success	\$ 4,000
Tioga County Boys and Girls Club Outreach	\$ 2,215
Total Allocations	\$46,020

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 178-19 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from the Floyd Hooker Foundation; and

WHEREAS: The funding is designated for car seats to support the Child Passenger Safety Program; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4053 422800 Public Health: Local Grants \$ 5,000

To: A4053 540640 Public Health: Supplies \$ 5,000

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 179-19 AUTHORIZATION TO SUBMIT APPLICATION TO NEW YORK HOMES AND COMMUNITY RENEWAL FOR FUNDING AND TO ADMINISTER A 2019 NEW YORK MAIN STREET PROGRAM FOR THE 2019 OWEGO – NORTH AVENUE REVITALIZATION PROGRAM

WHEREAS: Per Resolution 94-14, Tioga County Economic Development and Planning desires to apply for up to \$500,000.00 in financial assistance through the 2019 Consolidated Funding Application under the 2019 New York Main Street Program; and

WHEREAS: The application proposes funding to assist property owners to complete interior and exterior building renovations to targeted, contiguous downtown "main street" buildings including 53 through 88 North Avenue and 177 and 185 Main Street from the Main Street area along North Avenue to Temple Street in the downtown central business district of the Village of Owego; and

WHEREAS: The proposed funding will contribute to the ongoing community revitalization efforts; and

WHEREAS: The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality making application and in which the project will be located; and

WHEREAS: The Village of Owego is in support of this application to the 2019 New York Main Street program for revitalization of commercial and residential properties that make up the "Main Street" including 53 through 88 North Avenue and 177 and 185 Main Street from the Main Street area along North Avenue to Temple Street in the downtown central business district of the Village of Owego; therefore be it

RESOLVED: That the Tioga County Legislature approves and endorses the 2019 New York Main Street Program grant application for assistance prepared and to be submitted by the Tioga County Economic Development and Planning Office.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 180-19 *APPOINT MEMBER TO THE TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)*

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Kevin Dougherty has resigned from the Tioga County Industrial Development Agency Board of Directors effective April 29, 2019; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Eric Knolles has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Kevin Dougherty for his loyal service to the residents of Tioga County; and be it further

RESOLVED: That the Tioga County Legislature hereby appoints Eric Knolles to replace Kevin Dougherty's position on the Tioga County Industrial Development Agency Board of Directors effective June 12th, 2019.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 181-19 *ESTABLISH FEE STRUCTURE FOR ONLINE AND IN PERSON APPLICATION FEES FOR CIVIL SERVICE EXAMINATIONS PERSONNEL*

WHEREAS: Tioga County Department of Personnel & Civil Service is preparing to launch an online application portal to the public; and

WHEREAS: Part of the online feature will include the ability for applicants to electronically pay for application submissions tied to civil service examinations; and

WHEREAS: Due to transaction fees associated with online payments, there is a need to establish a fee structure for both online and in person application fees for civil service examinations; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following fee structure be established as of June 12, 2019, for applications associated with civil service examinations:

Online Application Submissions:	\$16.00 (non-uniform exams) \$26.00 (uniform exams)
In Person Application Submissions:	\$15.00 (non-uniform exams) \$25.00 (uniform exams)

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO 182-19 *AMEND RESOLUTION 50-94 AS AMENDED BY RESOLUTION 361-01, AS AMENDED BY RESOLUTION 260-09, AS AMENDED BY RESOLUTION 186-10, AS AMENDED BY 223-13: RETIREE HEALTH INSURANCE CONTRIBUTIONS*

WHEREAS: Resolution 50-94 established contributions for retirees eligible under Section IV.A. of Employee Handbook Policy "Orientation/Exit Interviews/Recruitment/Retirement" (formerly Policy # 3) at \$5.00 or \$7.50 per month; and

WHEREAS: Resolution 361-01 increased those same retirees' contributions to \$10.00 or \$15.00 per month; and

WHEREAS: Resolution 260-09 increased those same retirees' contributions to \$20.00 or \$25.00 per month; and

WHEREAS: Resolution 186-10 required retirees under Section IV.A. who continued to carry the more expensive Excellus Blue Cross Blue Shield Classic Blue plan to pay \$20.00 or \$25.00 per month plus the difference between the monthly premiums of the Excellus Classic Blue product and the Excellus PPO Option H-Split Product; and

WHEREAS: Resolution 223-13 required Medicare eligible retirees and spouses of retirees who are Medicare eligible to change to a Medicare Supplemental Plan effective January 1, 2014 and set the contribution rate for those retirees eligible under Section IV.A. at \$20.00 per month for retiree coverage or \$40.00 per month for retiree and spouse coverage; and

WHEREAS: The Excellus PPO Option H-Split contributions for retirees eligible under Section IV.A. has remained at \$20.00 or \$25.00 per month since 2009; and

WHEREAS: Health insurance costs continue to increase; therefore be it

RESOLVED: That effective January 1, 2020 retirees eligible under Section IV.A. be required to pay 2% of the monthly premium of individual coverage or 2% of the monthly premium of family coverage.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO 183-19 *AMEND RESOLUTION 277-13*
RETIREE HEALTH PLANS

WHEREAS: Resolution 277-13 provided that effective January 1, 2014 CSEA and Non-Union employees who qualified for health insurance upon retirement and who were not yet Medicare eligible shall only have the choice of Excellus Blue Cross Blue Shield Classic Blue Indemnity, if eligible as an active employee, or PPO Option H-Split coverage; and

WHEREAS: All other active employee groups have eliminated the Classic Blue plan and only have the option of PPO Option H-Split coverage, if not Medicare eligible, upon retirement; and

WHEREAS: The Classic Blue plan does not provide any cost containment features such as case management or disease management; and

WHEREAS: The PPO Option H-Split plan provides excellent coverage and is a less expensive plan; and

WHEREAS: Health insurance costs continue to increase; therefore be it

RESOLVED: That Resolution 277-13 is hereby amended to indicate that effective January 1, 2020 non-Medicare eligible retirees shall only have the option of Excellus Blue Cross Blue Shield PPO Option H-Split plan.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH AND HUMAN SERVICES
PERSONNEL COMMITTEE

RESOLUTION NO. 184-19 AUTHORIZATION TO CREATE AND FILL ONE,
FULL TIME SENIOR SUPPORT INVESTIGATOR
POSITION
SOCIAL SERVICES

WHEREAS: Legislative approval is required for the creation of new positions and position reclassifications; and

WHEREAS: The Commissioner of Social Services has discussed succession plans and staffing needs for the Support & Collection unit with the Personnel Officer; and

WHEREAS: A promotional examination was recently conducted for the title Senior Support Investigator; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation and filling of one, full-time Senior Support Investigator position (CSEA salary grade IX) effective June 22, 2019; and be it further

RESOLVED: That the Commissioner of Social Services shall be authorized to accomplish this by reclassifying one, full-time Support Investigator (CSEA salary grade VII) position to the title of Senior Support Investigator upon an appointment from the current civil service eligible list, effective June 22, 2019; and be it further

RESOLVED: That the Senior Support Investigator position is reflective of an annual salary increase of \$4,152, but shall not represent an increase to the department's full time headcount.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 186-19 *AMEND EMPLOYEE HANDBOOK
SECTION IV. PERSONNEL RULES –
SUBSECTION K. NON-UNION BENEFITS*

WHEREAS: There is a need to clarify eligibility for health insurance for a newly created non-union position; and

WHEREAS: The Employee Handbook Section IV. Personnel Rules – Subsection k. Non-Union Benefits Section 5 stipulates the eligibility; therefore be it

RESOLVED: That the Employee Handbook Section IV. Personnel Rules – Subsection k. Non-Union Benefits be amended as follows: Effective June 12, 2019, the “Eligibility” paragraph in Section 5 shall read as follows:

“Eligibility: All full-time employees, Elected Officers (except Coroners), part-time Attorneys (except those in the Treasurer’s Office and the 3rd Assistant County Attorney) and part-time Dentists are eligible to participate in the Health/Dental/Vision programs.”

and be it further

RESOLVED: That the remainder of the Employee Handbook is unchanged.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston, Balliet, and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGAL COMMITTEE
HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 187-19 *CREATE AND FILL POSITION*
LAW DEPARTMENT

WHEREAS: Legislative approval is required for the creation of any new positions;
and

WHEREAS: It is necessary to hire additional counsel on an as needed basis to
handle conflict cases in the DSS Legal office; and

WHEREAS: Said counsel will be paid at a rate of \$35.00 per hour up to a
maximum of \$5,000 annually and be paid from DSS Account No. A6010 510020
Part-time; and

WHEREAS: Thomas Coulson, Esq. has been found qualified and willing to perform
said work; therefore be it

RESOLVED: That the part-time position of 3rd Assistant County Attorney is hereby
created effective June 24, 2019 and the County Attorney is authorized to hire
Thomas Coulson on an as needed basis at an hourly rate of pay of \$35.00 up to
an annual maximum of \$5,000, which shall be paid from DSS Account No. A6010
510020 Part-time; and be it further

RESOLVED That the Law Department's authorized part-time headcount for 2019
shall be increased from 0 to 1.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston, Balliet,
and Hollenbeck.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:18 P.M.

Seventh Regular Meeting
July 9, 2019

The Seventh Regular Meeting of 2019 was held on July 9, 2019 and was called to order by the Chair at 12:02 P.M. Eight Legislative members were present with Legislator Monell being absent.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "I would like to call for a moment of silence for all the men and women in the Armed Services."

Legislator Roberts led all Legislators and those in attendance in the Pledge of Allegiance.

There were 83 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following two recognition resolutions, seconded unanimously and carried.

Legislator Standinger read and presented the following recognition resolution to Barbara McCormick, Confidential Assistant, Public Health Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO	HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 188-19	<i>RECOGNITION OF BARBARA McCORMICK'S 21 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY PUBLIC HEALTH DEPARTMENT</i>

WHEREAS: Barbara McCormick was appointed to the position of Account Clerk Typist in the Public Health Department on July 6, 1998, promoted to Payroll Clerk on January 1, 2000, reclassified to Payroll Clerk-Typist on March 1, 2005, reclassified to Administrative Assistant on February 15, 2006, and then reclassified again to Confidential Assistant on February 6, 2009, the position she now holds; and

WHEREAS: Barb was honored as the Public Health Team Member of the 4th Quarter of 2012 by her peers in Public Health and again in the 1st Half of 2018; being the first to be honored twice with this award; and

WHEREAS: Barb was also recognized by Tioga County as the Employee of the Quarter, both in the 1st Quarter of 2007 and again in the 4th Quarter of 2012; being the first person to receive this award twice; and

WHEREAS: Barb McCormick has been dedicated and loyal in the performance of her duties and responsibilities in Public Health. She has earned the respect of her colleagues and peers throughout Tioga County, as well as within the New York State Department of Health and New York State Education Department; and

WHEREAS: Barbara McCormick will retire on July 9, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Barbara McCormick for her 21 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Barbara McCormick.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "Retirement is not the end of your life. You should enjoy it. I like getting a paycheck every month just for breathing from the State Police. I am sure you will enjoy it. You live right across the valley from me so I can still keep an eye on you."

Denis McCann, Director of Administrative Services for the Public Health Department spoke. "Barb hates this by the way, standing up in front of everyone and having any attention on her, but Barb has been with the Public Health Department for 21 years as we mentioned, but prior to that she spent years with New York State and with almost 36 years working for government.

"I have often described Barb as my right hand and my left leg. Her retiring is big. Barb took personal ownership and pride in each and every task or role she was involved with. In the 17 years we worked together I do not recall one missed deadline by Barb. Barb loves going to Florida and sending photos back to us with

her toes in the sand. For a couple of years Barb was doing payroll for all of Health & Human Services, which includes Social Services, Mental Hygiene and Public Health. Barb provided a lot of notice of her retirement, which is appreciated and was a full time trainer over her last six or seven weeks and it drove her crazy not being the one doing the work. Barb has earned the respect of her coworkers for her hard work, her accuracy, and her teamwork.

"With all the changes in our world it is not often that the person retiring is their Department's technical wiz and Barb was that for us. As is mentioned in the recognition resolution and it is worth repeating, Barb was the first two time winner of both the County Employee of the Quarter and the Public Health Team Member of the quarter awards. Barb has repeatedly stepped up and took over responsibilities for roles and people as well and now it is our turn to do the same. Barb developed many close working relationships while with the County and a number of close friendships as well. I am one of the lucky ones that got to have both of them. Tioga County has been blessed to have the services of Barb McCormick for the last 21 years. Thank you."

Barb McCormick spoke. "I just want to tell everyone thank you and I have enjoyed working for the County."

Legislator Standinger read and presented the following recognition resolution to Susan Hewitt, Supervising Certified Alcohol and Drug Counselor, Mental Hygiene Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO	HEALTH & HUMAN SERVICES COMMITTEE
RESOLUTION NO. 189-19	<i>RECOGNITION OF SUSAN HEWITT'S 25 YEARS OF DEDICATED SERVICE TO THE TIOGA COUNTY DEPARTMENT OF MENTAL HYGIENE</i>

WHEREAS: Susan K. Hewitt was hired as a Social Worker Assistant 1 on August 8, 1994 and was promoted to the position of Certified Alcohol and Drug Counselor on March 10th, 2007 and promoted to Supervising Certified Alcohol and Drug Counselor on October 24, 2005 with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Susan K. Hewitt has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 25 years to

the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Hewitt will retire on August 9, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Susan K. Hewitt for her 25 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Susan K. Hewitt.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “Susan I know your Supervisors speak very highly of you. I want to congratulate you on your retirement.”

Lori Morgan, Director of Community Services spoke. “Congratulations Sue. It is really hard to say goodbye to such a great colleague and a friend. I know you have been preparing us for this moment for I think two years now. For over 25 years you helped countless Tioga County residents struggling with the disease of addiction. Thank you for being a role model and inspiration for new employees, for your service, loyalty to the field and Tioga County. Thank you for your hard work. As you turn the page to the next chapter we wish you nothing but the best and happiness.”

Susan Hewitt spoke. “I just want to say thank you to everybody here and I just want to say that it has been a pleasure to serve the County residents of Tioga County and addiction does a lot of very bad things to a lot of very good people, and if I was able to be of help I am very grateful for that.”

Chair Sauerbrey stated that we have two Proclamations to present as follows:

Legislator Balliet read and presented the following Proclamation on Election Inspector Recognition Day in Tioga County to Bernadette Toombs and James Wahls, Election Commissions.

Legislator Balliet spoke. "It is with great pleasure that I am here this morning to announce this Proclamation to you, but it is pretty special to me too because one of the people that we are honoring here is my wife. Come every primary morning and every Election morning that she serves, 5:00 o'clock in the morning she is up, 6:00 o'clock she is at the polls and I do not see her again until 10:00 when I greet her with an adult beverage due to the fact that she has been gone for 12 hours. I know how hard it is. It is a long day, but it is a very vital day because it is a nation of the people by the people and for the people and this is part of by the people and you are doing tremendous work. It is very important that it be done and you have done it well."

PROCLAMATION
COUNTY ELECTION INSPECTORS

WHEREAS: The right to vote is one of our nation's oldest and most important entitlements, and with this right comes responsibility; and

WHEREAS: The Board of Elections is committed to fulfilling its responsibility to the citizens of New York State by providing fair and accurate elections; and

WHEREAS: Free and open elections are the basis on which this country was formed and you can make a difference by becoming an Election Inspector to help protect those freedoms; and

WHEREAS: This responsibility and the credit associated with it must be shared with the many dedicated workers known as Election Inspectors that help make elections successful; and

WHEREAS: Election Inspectors serve their community and their country by facilitating elections; and

WHEREAS: Many and most of our election inspectors have been with us for years, and some have been with us 20 years or more; and

WHEREAS: The hard work and dedication that Tioga County Election Inspectors put into making an election happen has not been officially recognized; therefore

THE TIOGA COUNTY LEGISLATURE DOES HEREBY PROCLAIM

July 9, 2019 as designated
"Election Inspector Recognition Day" in Tioga County;

And urges all citizens of Tioga County to recognize our Election Inspectors in Tioga County.

Bernadette Toombs, Republican Election Commissioner spoke. "To the Legislature that are present here today, to the Senator, to the Representative from our Assemblyman, each and every one of you whether you are an Election Inspector here today or recognizing someone retiring plays a vital role within our community, and if you are not an Election Inspector take a look at the number of people who have come here today and have made a second career out of being an Election Inspector.

"We want to thank each and every one of them from the bottoms of our hearts. We want to thank our staff particularly for enduring all of the insanity, all of the craziness, all of the short fuses and very short temper on my part particularly. Through thick and thin of a lot of different things we get through this, we come back together and we recognize we are doing it for the good of all of our voters to have free and honest elections. We really are at a desperate need for many more new Election Inspectors so as you go home today, after you have some recognition cake and refreshments please let them know that they can give our office a call. We have a little flyer over on the side table as to when our next Inspector classes are. Please call to join. We would love to have each and every one of you. You cannot be an elected official and serve unfortunately as an Inspector.

"It has been a thankless job for each and every one of you people here today. You get up at the crack of dawn, you are up before the chickens in many cases for elections. Early voting will change that so that we will be up more frequently. We will get through this. You play a vital role and I cannot tell you how emotional my thanks is to you. Thank you."

James Wahls, Democratic Election Commissioner spoke. "This is my first year as an Election Commissioner and working with the Board of Elections. I see a lot of familiar faces from this recent primary. It is hard to describe how amazed I am by all the hard work you guys put into this. This primary was the first time I was involved in an Election so intimately and while it was a small election I still noticed all the dedication, all the hard work and passion you guys have for serving our community. I am really grateful for that and I am sure that the citizens of our County are grateful for that. I thank you all for being here today and I am happy to be able to recognize you and all the hard work you do."

Senator Akshar spoke. "Madam Chairwoman thank you and it is always good to be with you and the members of the Legislature thank you. I am not here to announce my retirement. I am here to say thank you and just echo the sentiments of the people who have spoken before me. People say all the time how do we ensure that democracy lives on right, it is sustainable and I would argue respectfully of course look no further than Election Inspectors by the work you do it really is thankless and I am proud to play a very small role in today just saying thank you.

"The interesting point of this is when my office spoke to Bernadette some time ago we attempted to pass a resolution on the floor of the Senate in honor of today and we hit a little bit of a stonewall by the new Democratic majority in Albany and they thought something like this was too political. I am a little confused about that because I think we should be saying thank you. Whether you are a Republican, you are a Democrat, makes no difference. You do the work because you believe in democracy and you believe in everything of this country and what our community stands for, but nonetheless we printed off our own Proclamation if they would not let us pass it on the floor.

"It is only a piece of paper. I think the most important thing is that we are all here to honor you and to thank you, so this Proclamation salutes the Election Inspectors of Tioga County in recognition of their dedication to the preservation of democracy in the great State of New York. On behalf of the people that I represent, not only here in Tioga, but across Senate District 52, I say thank you."

Scott Esty of Assemblyman Friend's office spoke. "Thank you Madam Chairwoman and I would like to apologize for the absence of my boss, Assemblyman Christopher Friend this morning. He asked me to fill in for him today as something had come up and we are grateful to be able to be here and recognize you from our office. Certainly for everyone who comes to vote you are the face of the Election. You are the person that expresses thanks for the person who is there. Many people they will come in and do their bid and leave, but you are the one who they get to interact with, and in today's media world where there has been so much question about the integrity of our elections, you are the ones that are maintaining that and making sure that that is our democracy, our republic is sustained by fair elections.

"From the Assemblyman we have a certificate that we would like to present and that is upon recognition by the Tioga County Legislature with a Proclamation citing "their service and welcoming voters and ensuring the continued integrity of the election process, the New York State Assembly hereby recognizes all past, present and future Election Inspectors of Tioga County for their stellar public service". On behalf of Assemblyman Friend he wants to express his deep appreciation for your service to the community. Thank you."

Bernadette Toombs, Republican Election Commissioner spoke. "Our Elections Inspectors, our machine technicians, we cannot do any of this work without all of these people and then some because this is not the number of people we need on Election day, we need three times more of you to work at all of our polls on Election day. We have 41 Districts, 4 Representatives in each of the Districts. Thank you everyone from working one year to over 35 years as I recall for a certain gentleman here in the front row who began as a lever machine custodian right through our current technicians. None of our elections are possible without each and every individual one of you. Thank you from the bottom of both of our hearts."

The following Proclamation on the Great Outdoors Month was noted.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Great Outdoors Month is an opportunity for Upstate New Yorkers to experience and explore all that Tioga County has to offer in our beautiful natural surroundings; and

WHEREAS: Outdoor activities such as walking, bicycling, hiking, boating, and camping are great ways to enjoy the outdoors and to encourage children in the importance of outdoor play; and

WHEREAS: Studies have shown that stepping outside can be beneficial both physically and mentally for individuals; and

WHEREAS: Physical activity in the great outdoors can be part of a healthy lifestyle; and

WHEREAS: Tioga County is a beautiful place to enjoy outdoor activities in the month of June; and

WHEREAS: The Tioga County Legislature encourages residents and visitors to hike our trails, boat our waterways, explore our parks, breathe our fresh clean air and simply relish in the nature of Tioga County; therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of July 2019, as

GREAT OUTDOORS MONTH

and urges all residents to familiarize themselves, their families and visitors about the opportunities to experience nature and our beautiful surroundings in Tioga County.

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of June 11, 2019, seconded by Legislator Sullivan with Legislator Monell being absent and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 190-19 TRANSFER OF FUNDS
BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Mental Hygiene budget be modified and funds be transferred as follows:

From: A4310 510010 Full Time	\$40,769.05
To: A4390 540590 Criminal Psychiatric: Services Rendered	\$40,769.05

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 192-19 *TRANSFER FUNDS FOR HOT BOX ASPHALT RECYCLER AND AMEND CAPITAL BUDGET – PUBLIC WORKS*

WHEREAS: Tioga County Public Works has a need to purchase a Hot Box Asphalt Recycler and associated equipment in the amount of \$40,000 ; and

WHEREAS: The need for a Hot Box Asphalt Recycler outweighs the need to replace the Mechanic Truck; and

WHEREAS: The Hot Box Asphalt Recycler will allow for more effective patching of county roads; and

WHEREAS: The Commissioner of Public Works requests a budget transfer between Capital Accounts; and

WHEREAS: Legislative approval is needed to amend 2019 Capital Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H5130.521061	Mechanic Truck	\$40,000.00
To: H5130.521942	Hot Box Asphalt Recycler	\$40,000.00

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: INFORMATION TECHNOLOGY
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 193–19 *ACCEPT GRANT AWARD FOR TIOGA COUNTY
ITCS SHARED SERVICES; APPROPRIATE FUNDS
AND MODIFY 2019 BUDGET*

WHEREAS: The Tioga County Legislature recognizes the need to improve services and save costs by supporting shared services with other municipalities; and

WHEREAS: The Information Technology and Communication Services department has applied for and received a Local Government Efficiency reimbursable grant from the New York State Department of State in the amount of \$210,258.39; and

WHEREAS: This grant covers many costs to implement shared services with the Town of Owego, Village of Waverly, Village of Nichols and Town of Barton; and

WHEREAS: Legislative approval is needed to amend or modify budget and appropriate funds; and

WHEREAS: The Information Technology department needs to place the funds into appropriate accounts to implement; therefore be it

RESOLVED: That the Tioga County Legislature accepts said grant for Tioga County ITCS shared services and authorizes the ITCS department to spend the grant dollars per the submitted budget; and be it further

RESOLVED: That the following funds be transferred and the 2019 budget be modified as follows:

FROM: H1680 430970 SSG19 Capital SSG –State Aid	\$139,123.39
A1680 430891 SSG19 General SSG State Aid	\$ 71,135.00
TO: H1680 521090 SSG19 Capital Computer	\$139,123.39
A1680 540140 SSG19 Contracting Services	\$ 68,635.00
A1680 540640 SSG19 Supplies (Not Office)	\$ 2,500.00

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 194-19 AWARD BID FOR DEAN CREEK ROAD PAVEMENT OVERLAY

WHEREAS: The Commissioner of Public Works appropriated funds in the 2019 budget for this project; and

WHEREAS: On June 12, 2019 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$694,620.00
Bothar Construction, Binghamton NY	\$879,650.00
Dalrymple Gravel and Contracting, Pine City NY	\$716,335.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$694,620.00 to be paid out of Montrose Turnpike Paving Account H5110.540001.H1901

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 195-19 *AUTHORIZING THE IMPLEMENTATION AND FUNDING
IN THE FIRST INSTANCE OF THE STATE-AID PROGRAM
ELIGIBLE COSTS OF A CAPITAL PROJECT AND
APPROPRIATING FUNDS*

WHEREAS: A project for a culvert replacement on Halsey Valley Road, PIN 9755.00 (the Project) is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS: A sum not to exceed \$250,000 in Program Funding is available to progress the project.

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the state share of the costs of the Construction and Construction Supervision and Inspection work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$250,000 is hereby appropriated from the Halsey Valley Road Bridge account H1905 and made available to cover the costs of participation in the above phase of the Project; and it is further

RESOLVED: That in the event the full State share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's/Sponsor's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary Agreement in connection with the Project between the County of Tioga and the State of New York, and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 196-19 *APPOINT MEMBER TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT CORPORATION BOARD*

WHEREAS: The Tioga County Legislature wishes to appoint George Williams as a Board Member to the Tioga County Property Development Corporation. This

appointment is to fill a vacancy made by resignation of Dale Weston on 4/12/19 and will complete his three year term of 1/1/17-12/31/19; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that each board member be a public officer of a municipality within Tioga County or a member of a County Agency and their membership is conditioned on upon holding the public office by their position as Town of Candor Trustee; and

WHEREAS: George Williams is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints George Williams to the Tioga County Property Development Board Corporation as a Board Member for the remainder of Dale Weston's three year term 7/10/19 – 12/31/19.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 197-19 *APPOINT MEMBER TO THE TIOGA COUNTY
PROPERTY DEVELOPMENT CORPORATION BOARD*

WHEREAS: The Tioga County Legislature wishes to appoint Lesley Pelotte as a Board Member to the Tioga County Property Development Corporation. This appointment is to fill a vacancy made by resignation of Lewis Zorn on 4/12/19 and will complete his two year term of 1/1/19-12/31/20; and

WHEREAS: The TCPDC Bylaws allows for this appointment conditioned that each board member be a public officer of a municipality within Tioga County or a member of a County Agency and their membership is conditioned on upon holding the public office by their position as Village of Nichols Mayor; and

WHEREAS: Lesley Pelotte is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Lesley Pelotte to the Tioga County Property Development Board Corporation as a Board Member for the remainder of Lewis Zorn's two year term 7/10/19 – 12/31/20.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 198-19 *ACCEPTANCE OF THE APPLICATION FOR
JOHN SCHAFFER TO THE TIOGA COUNTY
FIRE INVESTIGATION TEAM*

WHEREAS: The Office of Emergency Services provides high quality Fire Investigation Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: John Schaffer is a current Trainee member of the FIT team; he has completed State and National certifications and desires to transition from Trainee to a full membership of the County Fire Investigation Team; and

WHEREAS: John Schaffer currently possesses training and skills needed by the Tioga County Fire Investigation Team to work on the Team; therefore be it

RESOLVED: That John Schaffer, be added to the Tioga County Fire Investigation Team.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: LEGAL COMMITTEE

RESOLUTION NO: 200-19 *ENDORSE TIOGA COUNTY STAKEHOLDERS
PLAN FOR OFF HOURS CENTRALIZED
ARRAIGNMENT PART (CAP COURT)*

WHEREAS: Those charged with a crime are entitled to the assistance of legal counsel at all important stages of their case including at the initial criminal arraignment; and

WHEREAS: Arresting officers must currently maintain custody of an arrestee until able to locate a local court and Justice able to conduct the arraignment which is a process that often consumes officer time and can result in the arraignment occurring outside of the times when the Tioga County Public Defender is able to appear as counsel for the defendant; and

WHEREAS: Tioga County has received authorization pursuant to Corrections Law 500-c to take arrestees from law enforcement and hold them at the Tioga County Jail to await arraignment; and

WHEREAS: Tioga County Stakeholders have worked with the NYS Office of Court Administration to establish a plan creating a CAP (Centralized Arraignment Part) court in order to provide for a system of regular arraignments at a Courtroom at the Tioga County Jail facility staffed by Tioga County Justices with defense counsel present; therefore be it

RESOLVED: That the Tioga County Legislature hereby supports and endorses the Tioga County Centralized Off-Hour Arraignment Plan.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 201-19 *CONTRACT FOR ACCOUNTANT SERVICES IN
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required to contract for professional services within Tioga County; and

WHEREAS: The Treasurer's Office has a need to have professional account services from the prior Full Time Accountant, from 6/24/2019 through 7/31/2019, providing training and assistance with the 2018 Financial Audit; and

WHEREAS: The Treasurer appropriately budgeted for contracted services in the approved 2019 budget; therefore be it

RESOLVED: That the Treasurer is hereby authorized to contract with Jackson Bailey Accountant at an established rate of \$20.00 per hour retroactive from June 24, 2019 through July 31, 2019.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 202-19 *AUTHORIZE APPOINTMENT OF ACCOUNTANT
 TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The position of Accountant became vacant as of June 24, 2019, within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a desirable candidate; therefore be it

RESOLVED: That Joshua Fenchel-Kithcart is provisionally appointed to the title of Accountant, pending successful completion of civil service examination requirements, at an annual, non-union salary of \$40,000, effective July 20, 2019; and be it further

RESOLVED: That in addition to any salary increase due Mr. Fenchel-Kithcart in accordance with County Policy, he shall be eligible for a \$2,000 increase in annual salary upon appointment from the Civil Service Eligible List.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 203-19 *AUTHORIZATION TO CREATE AND FILL ONE,
FULL TIME LEAD MAINTENANCE MECHANIC
POSITION
PUBLIC WORKS*

WHEREAS: Legislative approval is required for the creation of new positions and position reclassifications; and

WHEREAS: The Commissioner of Public Works has discussed supervisory staffing needs for the Building & Grounds unit with the Personnel Officer; and

WHEREAS: Duties and responsibilities that exceed those typical of a Maintenance Mechanic III including crew supervision are regularly assigned to a Maintenance Mechanic III, which creates a need for the classification of Lead Maintenance Mechanic; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the creation and filling of one, full-time Lead Maintenance Mechanic position (CSEA salary grade 1A) effective July 10, 2019; and be it further

RESOLVED: That the position of Lead Maintenance Mechanic shall be posted in accordance with CSEA Article 10, Section I after which time the Commissioner of Public Works shall be authorized to reclassify one full-time Maintenance Mechanic III (CSEA salary grade 3) position to the title of Lead Maintenance Mechanic upon appointment from the internal candidate pool effective July 20, 2019; and be it further

RESOLVED: That the Lead Maintenance Mechanic position is reflective of an annual salary increase of \$4,087, but shall not represent an increase to the department's full time headcount.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH AND HUMAN SERVICES
PERSONNEL COMMITTEE

RESOLUTION NO. 204-19 *AUTHORIZE SALARY GRADE REALLOCATION
AND RECLASSIFICATION OF VACANT POSITIONS
SOCIAL SERVICES*

WHEREAS: Legislative approval is required for salary reallocation and position reclassifications; and

WHEREAS: The position of Welfare Management Coordinator will be vacant at the close of business on July 19, 2019, and upon review of the requested modifications to the job description, the Personnel Officer has identified that salary grade reallocation is appropriate; and

WHEREAS: Due to promotion of the incumbent, the position of Welfare Management System Assistant will become vacant at the close of business on July 19, 2019; and

WHEREAS: The Commissioner of Social Services has discussed staffing needs and succession plans for both his Welfare Management System and Accounting units with the Personnel Officer; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a salary reallocation of the vacant Welfare Management System Coordinator position from CSEA salary grade XI (\$43,274-\$43,974) to CSEA salary grade IX (\$39,707-\$40,407) effective July 20, 2019; and be it further

RESOLVED: That the one full-time position of Software Support Liaison (Non-Union salary range \$38,005-48,005) shall be created effective July 20, 2019; and be it further

RESOLVED: That Charles Root shall be provisionally appointed to the position of Software Support Liaison effective July 20, 2019, at an annual Non-Union salary of \$46,500; and be it further

RESOLVED: That the Chief Information Officer agrees to abolish the Computer Programmer (Non-Union) position upon it becoming vacant on August 17, 2019; and be it further

RESOLVED: That the Information Technology Department's authorized full-time headcount for 2019 shall not change.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
LEGISLATIVE COMMITTEE

RESOLUTION NO. 206-19 *AUTHORIZE REAPPOINTMENT OF
REAL PROPERTY DIRECTOR
(REAL PROPERTY DEPARTMENT)*

WHEREAS: The current 6 year term for Real Property Director Terie W. Huseby will expire on September 30, 2019; and

WHEREAS: The County Legislature would like to reappoint Ms. Huseby for another 6 year term; therefore be it

RESOLVED: That Terie W. Huseby is hereby reappointed as Real Property Director for another 6 year term, which shall be effective October 1, 2019 through September 30, 2025.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolutions considered, seconded by Legislator Mullen with Legislator Monell being absent and carried.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 207-19 *AUTHORIZE SALE OF COUNTY
OWNED PROPERTIES ACQUIRED
FOR DELINQUENT TAXES*

WHEREAS: Tioga County is the owner of numerous properties which it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; be it therefore

RESOLVED: That the following properties be sold at public auction to be held in the Edward D. Hubbard Auditorium in the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York on August 07, 2019 at 6:00 p.m. conducted by Manasse Auctioneers.

Town of Barton:

166.16-3-3; Walmsley Mark J & April Walmsley
167.09-1-12.20; Randall Van Wormer Lois
123.00-3-1; Greenig William & Greenig Addie
123.00-2-18.20; Rogers Vernon & Rogers Bonnie

Town of Berkshire

32.00-1-20; Olmstead Anna M & Olmstead Lee J

Town of Candor:

61.13-1-26; Duffy-Wentz Kathy A
61.09-2-7; Jackson Ruth & Jackson Wilbert M
27.00-1-9.412; Leonard Howard R
52.00-2-2.12; Hayes Richard & Gunther Ruth N
38.00-1-23; Leonard Howard R
51.00-1-13.10; Parker George E & Mandi Parker

Town of Newark Valley:

64.00-2-23; Farr Gerald F
44.00-1-45; French Olive Joan
64.19-1-4; Fedorwicz/Peppin Deborah M
54.00-2-13.20; Gaylord Gary & Jodene Gaylord
52.00-1-12.42; Kalpokas Lisa K & Kalpokas Rodger D

Town of Nichols:

149.13-1-27; Amberge Norman C & Amberge Joyce E
168.00-3-11.70; Auge Frank
172.00-1-9.10; Menendez Anthony & Menendez Karen
170.00-2-2; Olmstead Richard W & Olmstead Georgiea
149.00-1-33; County of Tioga

Town of Owego:

128.08-3-71; Butler Robert E
128.08-7-81; Butler Robert E
128.08-1-21; Fuller Edward M & Fuller Jane G
143.10-1-38; Austin Peter D
143.09-1-37; Crouthamel Jason M
175.00-2-19.2; Kelly Jacqueline
131.19-1-32.2; Nunn Geoff
128.08-1-1.123; Matt Sarah
142.14-1-27.21; Relyea Corey W
128.08-1-1.125; Relyea Corey W
142.15-1-31; Myers Donald F II
175.00-2-48; Space David

Town of Richford:

4.00-1-4.20; Ingrahm Neal S Jr & Ingrahm Lin M
11.18-1-37; Schoonover Howard T & Schoonover Catherine
14.00-1-6.50; Andersen Eric G & Andersen Alexis N
2.00-2-34; Marichal Albert & Marichal Lorena
4.00-1-10.30; Leach Dan W & Devine Jennifer C

Town of Spencer

79.00-1-37.2; Burgess Stephanie A
69.00-2-1; FLT Holding, LLC

Town of Tioga

117.11-2-7; Brandy Lynn
148.00-1-9.20; Martin Michael D & Martin Angela
104.00-1-16.20; Predmore Richard
147.00-2-3.25; Beebe Henry C
147.00-2-3.24; Christiansen Connie H
106.05-1-4; Borough Furnace INC

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 208-19 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF BARTON, TO
THE TOWN OF BARTON*

WHEREAS: Property located in the Town of Barton transferred to Tioga County, identified as Tax Map number 157.07-1-15, parcel number 11363 owes 2017, 2018 and 2019 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by The Town Of Barton, who has made an offer to purchase the property for \$1,650 "as is", thereby keeping the flood prone property forever green; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$1,650 and recording costs of \$310.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town Of Barton, identified on the Town of Barton Tax Map as number 157.07-1-15 parcel number 11363, to The Town Of Barton or assigns.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 209-19 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF TIOGA TO PHILLIP SHORT & MICHAEL AMATO*

WHEREAS: Properties located in the Town of Tioga transferred to Tioga County, identified as Tax Map number 136.00-2-17.12, parcel number 809 owes 2017, 2018 and 2019 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Phillip Short & Michael Amato who has made an offer to purchase back their property for \$6,200 "as is", thereby placing the properties back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$6,200 and recording costs of \$185.00, a Quit Claim Deed conveying the properties transferred to Tioga County, located in the, Town of Tioga, identified on the Town of Tioga Tax Map as number 136.002-17.12 parcel number 809 to Phillip Short & Michael Amato or assigns.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 210-19 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF NEWARK VALLEY TO GARY GAYLORD & JODENE GAYLORD*

WHEREAS: Properties located in the Town of Newark Valley transferred to Tioga County, identified as Tax Map number 54.00-2-13.20, parcel number 1530 owes 2017, 2018 and 2019 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Gary Gaylord & Jodene Gaylord who has made an offer to purchase back their property for \$6,000 "as is", thereby placing the properties back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$6,000 and recording costs of \$185.00, a Quit Claim Deed conveying the properties transferred to Tioga County, located in the, Town of Newark Valley, identified on the Town of Newark Valley Tax Map as number 54.00-2-13.20 parcel number 1530 to Gary Gaylord & Jodene Gaylord or assigns.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 211-19 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF TIOGA TO BOROUGH FURNACE*

WHEREAS: Properties located in the Town of Tioga transferred to Tioga County, identified as Tax Map number 106.05-1-4, parcel number 975 owes 2017, 2018 and 2019 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Borough Furnace who has made an offer to purchase back their property for \$30,000 Contingent on Borough Furnace obtaining a mortgage from KeyBank first to protect KeyBank's interest, this property is being sold "as is", thereby placing the properties back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$30,000 and recording costs of \$310.00, a Quit Claim Deed conveying the properties transferred to Tioga County, located in the, Town of Tioga, identified on the Town of Tioga Tax Map as number 106.05-1-4 parcel number 975 to Borough Furnace or assigns.

Legislator Sullivan made a motion to amend the above resolution, seconded by Legislator Roberts with Legislator Monell being absent and the amendment to read as follows:

In the second whereas after KeyBank's interest add "by August 1, 2019".

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:41 P.M.

Eighth Regular Meeting
August 13, 2019

The Eighth Regular Meeting of 2019 was held on August 13, 2019 and was called to order by the Chair at 12:01 P.M. Eight Legislative members were present with Legislator Balliet being absent.

Chair Sauerbrey asked for a moment of prayer. "Heavenly Father we thank you for your blessings every day and we ask that you watch over the County of Tioga and all the people in it. We ask you to bless the Legislature with making good decisions, pray for all the Government Leaders in Tioga County and in our Nation, and we respectfully acknowledge and appreciate and pray for the servicemen and women that keep us safe."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 19 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following two recognition resolutions, seconded unanimously and carried.

Legislator Standinger read and presented the following recognition resolution to Mary Roddy McKee, Employment Specialist of the Department of Social Services.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 212-19 *RECOGNIZE MARY RODDY MCKEE'S
33 YEARS OF DEDICATED SERVICE
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Mary began her career with the Tioga County Department of Social Services as a Social Welfare Examiner in August 1986 in what was then named the Income Maintenance Unit. In September 1992, Mary was promoted to Employment Specialist. Mary helped develop and enhance the roles of the Employment Specialists as the Employment Unit merged to become part of the Agency's Department of Employment and Transitional Supports; and

WHEREAS: Mary Roddy McKee has been a dedicated and loyal employee in the performance of her duties; and

WHEREAS: Mary Roddy McKee has shown the highest levels of reliability, trust, loyalty and competence in the performance of her duties; and

WHEREAS: Mary Roddy McKee will retire on August 24, 2019; now therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Mary Roddy McKee for her thirty-three years of dedicated and loyal service to the Tioga County Department of Social Services and its most vulnerable citizens; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this loyal, dedicated and outstanding employee, Mary Roddy McKee.

ROLL CALL VOTE

Unanimously Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "Congratulations Mary. You started with the County the same time I started with the State Police and I retired from that in 2011 so you have done quite a bit longer time than me."

Shawn Yetter, Commissioner of Social Services spoke. "Congratulations Mary. We are always very fortunate to have employees like Mary who decide to dedicated their entire working careers to Tioga County and she is one of those people who did just that. Over the past 33 years Mary's dependability has been nothing short of astonishing. When asked, Mary has always been willing to come in early, stay late, cover for coworkers and most importantly to her do whatever needs to be done to assist one of her clients when they are in the most need.

"Mary for the duration of her time with the County has been a critical part of a Team, albeit the makeup and location of that Team has changed many times over the years, a Team that is responsible for keeping our cash assistance caseloads one of the smallest in the State and that success does not just happen,

it is a direct result of the work that Mary and her colleagues do every day to help move people towards self sufficiency and a better life. Mary has always brought sensitivity and compassion combined with the importance of setting expectations in building on people's potential that has allowed for that record of success. While losing your wealth of knowledge and enthusiasm you bring to the agency every day is sad for us, we are thrilled that you are ready to enter the next chapter of your life, which we will know will be filled with new adventures and challenges, and of course a lot of grandson time. Mary thank you for your dedication to Tioga County and especially to the people you have directly served. You are indeed an employee that our Department has been very proud of throughout the entire duration of your stellar career and we wish you a long and healthy retirement."

Mary Roddy McKee spoke. "I just want to say it was my pleasure working for Tioga County. This is an amazing County. I have friends, I was originally born and raised in Syracuse and I have friends that work for Onondaga County and I have gone into their environment as well as the opportunity of traveling around with this County representing and this is one amazing County."

Legislator Sullivan read and presented the following recognition resolution to Mary Hogan, Computer Programmer of the Information Technology and Communication Services Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 213-19 *RESOLUTION RECOGNIZING
MARY HOGAN'S
20 YEARS OF DEDICATED SERVICE
TO TIOGA COUNTY*

WHEREAS: Mary Hogan was hired on August 17, 1998 as a Computer Programmer; and

WHEREAS: Mary Hogan has been a valuable employee to the Information Technology and Communication Services department, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Mary Hogan will retire from Tioga County on August 19, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Mary Hogan for her 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Mary Hogan.

ROLL CALL VOTE

Unanimously Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Sullivan spoke. "I have here a little over 10 years Mary, so that is only about half the time that you have been here, but in my career here you often times hear in committee meetings and then just miscellaneous comments by people of employees who went above and beyond or employees that they love to work with, and all kinds of good stuff, and the name that has mostly come up in my experience has been that of Mary Hogan. I congratulate you on a successful career and I wish you all the best in your next endeavors."

Chair Sauerbrey spoke. "Because I am here every day I get to see a lot of things that go on, so I have to put in my two cents. Mary you are a team player all the way. You were a recipient of the 2016 Employee of the 4th Quarter, 2016 Employee of the Year, which is pretty awesome. You were very instrumental in the AS400 and I think you are the only person in Town that knows what is really on there and you are taking care of that and we very much appreciate it. Fixed assets, you spent numerous hours fixing the County's fixed assets. It was very complicated and we appreciate it. You are instrumental in all aspects of Munis. You are considered or at least were considered the house expert when it comes to an issue I can hear Cathy Haskell on the phone in the morning, "Mary help me figure this out" and they commiserate and figure out the details of the system, so we are going to really miss that and we very much appreciate your attention to detail. I just do not want you to think that you are leaving without us noticing, so thank you very much."

Doug Camin, Chief Information Officer spoke. "Mary, it has been a really great opportunity to serve my time with you and I just wanted to make sure that as Manger there are very few times that I have had better employees and better

people working with me on a Team as you. Marte covered things like the Employee of the Quarter and all these other things that have happened over the years. I know everybody else recognizes that and I want to make sure to tell you personally in front of everybody here just how much you will be missed and how beneficial it has been to have you around. It is just incredible and I could have not asked for a better person to be the point person of the AS400 and to make a successful transition from one financial system to another one, quite honestly so late in your career, which was a big thing in IT and not many people do that so kudos to you for that and kudos to you for all your service. Thank you."

Mary Hogan of Information Technology spoke. "Thank you very much. It has been a real pleasure working with all of you and I will miss all of our conversations on the phone, sometimes not about problems and sometimes about problems, but thank you very much and all the best to everybody."

Chair Sauerbrey noted the following Proclamation on Immunization Awareness Month.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: August is National Immunization Awareness Month with immunizations representing one of the greatest public health accomplishments of the 20th century; and

WHEREAS: Vaccines provide parents a safe, proven means to protect their children from serious communicable diseases by following the recommended immunization schedule – giving their child the vaccines they need, when they need them; and

WHEREAS: Child care facilities, preschool programs, schools and colleges are prone to outbreaks of infectious diseases due to poor hand washing, not covering coughs, and other factors such as interacting in crowded environments; and

WHEREAS: When a child becomes sick with a disease such as whooping cough or the flu, they may miss several days of school while recovering and a parent may have to miss work or other important obligations; and

WHEREAS: Vaccines are an important part of a healthy pregnancy and a mother can pass some protection on to her baby. Women should be up to date on their vaccinations before becoming pregnant and should receive vaccines against both flu and whooping cough during pregnancy; and

WHEREAS: All adults should be vaccinated to protect their health. Even healthy adults can become seriously ill and pass diseases on to others. Everyone should have their vaccination needs assessed by their primary care provider; and

WHEREAS: Tioga County Public Health encourages everyone to be immunized; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of August 2019 as:

IMMUNIZATION AWARENESS MONTH

and urges the citizens of our County to educate themselves on the recommended vaccines for themselves and their children to prevent the spread of contagious communicable diseases.

Marti Borko had privilege of the floor. "Good afternoon. I am very pleased that I am following presentations of Tioga County employees because the one thing that I really learned during my four years serving where you are now is that the greatest asset that this County has is its employees. They have been terrific throughout the years and a terrific asset.

"I want to speak now about the financial situation and the financial situation I am going to use, I am not going to name Commissioners or Directors, I just want to talk about salary increases that have occurred from 2002 to 2019 and I use those years because of data that was available to me and I am not critical of any of these raises, I just want to give you some baseline. One of the individuals in 2002 was making \$68,000 and in 2019 \$96,000, an increase over that 17 year period of 41%. Again, I am not critical of any of these. Another position \$56,000 went to \$83,000, a 46% increase. Another position from \$71,000 to \$107,000, a 51% increase. Another one \$56,000 to \$87,000, a 53% increase. Another one, an increase from \$71,000 to \$91,000, an almost 27% increase and again I think these were fair increases and I am not critical whatsoever of any of these positions or raises of where they are.

"I want to go down to the prospective Legislative budget during this same period of time from 2002 to 2019. Your Legislative budget increased from \$460,000 to \$543,000, an increase of 18% a little bit over 1+% per year of an average of those years. Tioga Opportunities had an increase of \$102,000 to \$122,000, a 19% increase, a little more than 1% a year. Soil & Water had an increase in their budget from \$175,000 to \$319,000, an 82% increase or a little more than 4% per year for those 17 years.

“I am here to talk about Cornell Cooperative Extension during the same period of time. I serve on the Board of Cornell Cooperative Extension and it is my second slot around, I have been in there now for about five years on the Cornell Extension Board. During this period of time we have had a raise from 2002 from \$259,000 to \$268,000, an increase over those 17 years of 3.26%, a little less than 0.19% per year. I will tell you now that Andy Fagan our Executive is planning to retire. The Board is faced with a remodeling of the situation, searching for a new Cornell Executive. We ask that you consider the increases that hopefully Andy will be coming to you with so that we can have a reasonable go around and have a Cornell Executive that will serve Tioga County in the future. Lots of things are happening and we appreciate your support. Thank you.”

Charles Davis, Richford Town Supervisor spoke. “Madam Chair and Representatives of the Legislature I am here just to tell you a little over a year ago we presented to you an easement along the railroad right of way to eventually build a walking path. I will not tell the whole story about how this walking path came to fruition, but I am here to announce that the project has been completed. We have a half mile paved walk/biking path around the outside of our park and sometime in September we are going to do a dedication and I will send an invitation to the County Legislators to come and enjoy. Thank you so much for your help in getting that put in place.”

Aniyah Klock spoke. “I live in Richford on Anderson Hill Road. I have a massage practice out of my home and so clients come to see me. They need to come on Route 79 and turn on to West Creek Road. I do not know if you know where that is, but it is a very sharp curve on Route 79 and if you are stopping to turn on to West Creek Road and there is somebody coming around the corner and the speed limit is 55 they almost hit you almost every time. I went to our Town Board meeting and they said that I should bring that here.

“I guess I just would like someone to look at it and either put signs up that there is a street, to slow down or even redo the street. There is a way to on either side put a passing kind of area so that if you come around the corner you can swing out around and I just think it is really not safe. I have almost been hit there a couple of times and my clients say the same thing. I am not sure what else I can say, I just wanted you to be aware and hopefully you can get something done. Thank you.”

Legislator Sullivan made a motion to approve the minutes of July 9, 2019, seconded by Legislator Mullen and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING

RESOLUTION NO. 214-19 *SEQRA CONSIDERATION FOR NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION 2019-2020 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM, PHASE II APPLICATION*

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved; and

WHEREAS: The trail changes for upgrades/reroutes to both segments of S27A and C2, for the Spencer Van-Etten Snowmobile Club, as presented to NYSOPRHP are an Unlisted Action requiring Tioga County to consider the environmental significance of these changes; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form as a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P LEGISLATIVE COMMITTEE

RESOLUTION NO. 215-19 *RECOMMEND MEMBER TO THE SUSQUEHANNA
HERITAGE AREA COMMISSION*

WHEREAS: Per resolution 25-16, the Tioga County Legislature resolved that the Economic Development and Planning Committee recommend designees for the Municipal Representative and also the Advisory Board Member on the Susquehanna Heritage Area (SHA) Commission for the term of office of the County Legislative Chair who appoints said persons; and

WHEREAS: Currently Rebecca Maffei, Tioga County Tourism Director, and Brittany Woodburn, Deputy Director of Economic Development and Planning, have been serving as the two (2) SHA Commission members; and

WHEREAS: Brittany Woodburn is no longer able to serve as a Commission member; and

WHEREAS: Abbey Hendrickson has recently been hired as the Community Development Specialist in the Economic Development and Planning Department and is willing to serve; therefore be it

RESOLVED: That the Economic Development and Planning Committee recommend Rebecca Maffei, the Tioga County Tourism Director, continue to serve as the Municipal Representative and Abbey Hendrickson, Community Development Specialist, serve as the Advisory Board member on the Susquehanna Heritage Area Commission for the term of office of the County Legislative Chair who appoints said person.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 217-19 TRANSFER OF FUNDS
BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Mental Hygiene budget be modified and funds be transferred as follows:

From: A4310 510010 Full Time	\$18,045.32
To: A4390 540590 Criminal Psychiatric: Services Rendered	\$18,045.32

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 218-19 TRANSFER OF FUNDS
BUDGET MODIFICATION
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office has a need to provide a printer for the office of the newly hired investigator and a TV for the new conference room; and

WHEREAS: Amending of Budget and Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That the District Attorney's budget be modified and the following sums be transferred from within the District Attorney's budget to cover the costs of said office furnishings.

From: A1165 540720 Trial Costs \$377.73

To: A1165 520200 Office Equipment \$377.73

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 219-19 TRANSFER OF FUNDS
BUDGET MODIFICATION
DISTRICT ATTORNEY

WHEREAS: The District Attorney's Office has a need for a new TV for use in the grand jury room and county court as the current one has been broken; and

WHEREAS: Amending of Budget and Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That the District Attorney's budget be modified and the following sums be transferred from within the District Attorney's budget to cover the costs of said TV:

From: A1165 540720 Trial Costs	\$450.00
To: A1165 520020 Audio Visual Equipment	\$450.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 220-19 *APPROPRIATION OF FUNDS AND AMEND
2019 BUDGET
SOCIAL SERVICES*

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services to help support, recruit and retain current and prospective foster families, including kinship caregivers through the Family First Transition Fund; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows and the 2019 Budget be amended as follows:

From: A6010.436100 State Aid: Administration \$ 30,000

To: A6010.540487 Program Expense \$ 30,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 221-19 *AMEND 2019 BUDGET AND APPROPRIATE
 FUNDS PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works applied for and was awarded \$250,000 in program funding under a New York State Program administered by the New York State Department of Transportation for a bridge project, Halsey Valley Road, PIN 9755.00; and

WHEREAS: The Tioga County Legislature authorized the acceptance of this award per resolution 195-19; and

WHEREAS: The County of Tioga desires to advance this project; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That the 2019 budget be modified and funds be appropriated to the following accounts:

Expense Accounts:

H5110 540002 H1905	Halsey Valley Road PIN 9755.00	\$250,000
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Revenue Accounts:

H5110 435020 H1905	State Aid Halsey Valley Rd	\$250,000
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ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 222-19 *AMEND CAPITAL BUDGET AND TRANSFER FUNDS FOR HHS BOILER – PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works has budgeted for the purchase of a replacement boiler at the Health & Human Services Building for \$15,000.00; and

WHEREAS: The Commissioner of Public Works received proposals for the purchase of the boiler which came in higher than anticipated; and

WHEREAS: Funds in HVAC – Air Conditioner Components are available; and

WHEREAS: Legislative approval is needed to amend 2019 Capital Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H1621.521010	HVAC – Air Conditioner Components	\$ 5,000.00
To: H1621.520929	Boiler - HHS	\$ 5,000.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 223-19 *AMEND CAPITAL BUDGET AND TRANSFER FUNDS
FOR MATERIAL SPREADER – PUBLIC WORKS*

WHEREAS: Public Works has a need for a material spreader; and

WHEREAS: The balance remaining in H5130.521130 Equipment (not car) is insufficient to cover the cost of the material spreader; and

WHEREAS: Funds in H5130.521061 Mechanic Truck are available; and

WHEREAS: Legislative approval is needed to amend 2019 Capital Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H5130.521061	Mechanic Truck	\$ 3,500.00
To: H5130.521130	Equipment (not car)	\$ 3,500.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 224-19 AMEND CAPITAL BUDGET AND TRANSFER FUNDS FOR BUCKET LOADERS – PUBLIC WORKS

WHEREAS: Public Works owns a 2012 Caterpillar 938 Loader which is utilized to load salt into tandem trucks and a 2005 Hyundai Loader; and

WHEREAS: The front end and loader buckets are showing significant corrosion; and

WHEREAS: The service life of the loaders will be prolonged if the units are sand blasted and painted; and

WHEREAS: Funds in H5130.521061 Mechanic Truck are available; and

WHEREAS: Legislative approval is needed to amend 2019 Capital Budget and transfer funds; therefore be it

RESOLVED: That the Tioga County Legislature authorize the following transfer of funds and amend the Capital Budget:

From: H5130.521061	Mechanic Truck	\$11,500.00
To: H5130.521920	Bucket Loader	\$11,500.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: INFORMATION TECHNOLOGY
HEALTH & HUMAN SERVICES

RESOLUTION NO. 225-19 *FUND CONSTRUCTION COSTS FOR FIBER-OPTIC
DATA CONNECTION AT WAVERLY SITE, REQUEST
CONTINGENCY FUNDS, AND MODIFY 2019
BUDGET*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The Waverly Mental Hygiene clinic site at 80 William Donnelly Parkway in Waverly currently has data services that are inadequate for effective and efficient usage; and

WHEREAS: The Information Technology department has conducted an evaluation of available options; and

WHEREAS: The data services provider Empire Access has provided a proposal to construct a fiber-optic connection between Waverly and the 56 Main Street building; and

WHEREAS: Empire Access's proposal has an installation cost of \$5,000 that requires funding; and

WHEREAS: The CIO has discussed this solution with the Mental Hygiene leadership and all agree it is a significant upgrade of service that enables the clinic location to participate in planned tele-medicine initiatives and enables the ITCS department to more reliably manage the computers and phones at that location; and

WHEREAS: Legislative approval is need to use contingency funds and modify the 2019 budget; therefore be it

RESOLVED: That the ITCS Director be authorized to approve the contract with Empire Access for a fiber-optic line at a cost of \$375 per month and \$5,000 installation cost; and be it further

RESOLVED: That the following funds be transferred and the 2019 budget be modified as follows:

From: A1990 540715 Contingency	\$5,000.00
TO: A1680 540140 Contracting Services	\$5,000.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 226–19 *APPROVE FUNDING
2019 SUMMER YOUTH EMPLOYMENT
PROGRAM FUNDING*

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for Summer Youth Employment Programs; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$116,095
To: A6010.540140 Contractual	\$ 109,576
A6010.540487 Program Expense	\$ 6,519

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 227-19 *AUTHORIZE JOHNSON CONTROLS FOR
AIR HANDLER UPGRADES AT PSB*

WHEREAS: The Air Handling Unit at the Public Safety Building needs to be upgraded; and

WHEREAS: The Commissioner of Public Works budgeted for this project; and

WHEREAS: The Commissioner of Public Works received a proposal from Johnson Controls as follows:

Retrofit pneumatic controls and failing DX controllers on AHU 1-4, &5

\$49,977.99 Therefore be it

RESOLVED: That the Tioga County Legislature authorizes the hiring of Johnson Controls for the Air Handling Unit Upgrades at the Public Safety Building not to exceed \$49,977.99 to be paid out of Account H1620.520913.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 228-19 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE VILLAGE OF OWEGO, TO THE VILLAGE OF OWEGO*

WHEREAS: Property located in the Village of Owego transferred to Tioga County, identified as Tax Map number 117.20-2-9, parcel number 1416 owes 2017, 2018 and 2019 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by the Village of Owego, who has made an offer to purchase the property for \$1.00 “as is”, thereby keeping the flood prone property forever green; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$1.00 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the Village of Owego, identified on the Village of Owego Tax Map as number 117.20-2-9, parcel number 1416, to the Village of Owego or assigns.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 229-19 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE VILLAGE OF OWEGO, TO THE ST. PAUL'S EPISCOPAL CHURCH*

WHEREAS: Property located in the Village of Owego transferred to Tioga County, identified as Tax Map number 128.08-1-21, parcel number 512 owes 2017, 2018 and 2019 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by the St. Paul's Episcopal Church who has made an offer to purchase the property for \$1,000 "as is"; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$1,000 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the Village of Owego, identified on the Village of Owego Tax Map as number 128.08-1-21, parcel number 512, to St. Paul's Episcopal Church or assigns.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

Abstain – Legislator Standing.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 230-19 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF SPENCER TO FLT HOLDING, LLC*

WHEREAS: Properties located in the Town of Spencer transferred to Tioga County, identified as Tax Map number 69.00-2-11, parcel number 765 owes 2017, 2018 and 2019 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by FLT Holding, LLC who has made an offer to purchase back their property for \$15,000 "as is", thereby placing the properties back on the tax rolls; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$15,000 and recording costs of \$310.00, a Quit Claim Deed conveying the properties transferred to Tioga County, located in the Town of Spencer, identified on the Town of Spencer Tax Map as number 69.00-2-11 parcel number 765 to FLT Holding, LLC or assigns.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 231-19 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE VILLAGE OF OWEGO
TO ELVIRA GARCIA LOZADA, JAQUELINE
GARCIA & DANIEL GARCIA*

WHEREAS: Property located in the Village of Owego transferred to Tioga County, identified as Tax Map number 128.08-1-75, parcel number 573 owes 2017 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Elvira Garcia Lozada, Jaqueline Garcia & Daniel Garcia who have made an offer to purchase back their property for \$3,100 "as is", thereby placing the property back on the tax rolls; therefore be it

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 233-19 *CREATE AND FILL POSITION
PT DEPUTY SHERIFF
SHERIFF'S OFFICE*

WHEREAS: Legislative approval is required for the creation of new positions and position reclassifications; and

WHEREAS: It is necessary to hire an additional PT Deputy to fulfill the duties in the Civil Office, as the current PT Deputy will be assigned to the Spencer VanEtten School district as the School Resource Officer (SRO) effective September 1, 2019, and

WHEREAS: The Spencer VanEtten School district will reimburse the salary of the PT Deputy; and

WHEREAS: It will be necessary to increase the 2019 PT salary account A3110.510010 by \$12,000 and revenue account A3110.425950 by \$12,000; therefore be it

RESOLVED: That the Sheriff be authorized to create and fill one PT Deputy position, which will increase the PT headcount from 6 to 7 effective September 2019; and be it further

RESOLVED: That the 2019 budget expenditure account A3110.510010 and revenue account A3110.425950 be increased by \$12,000 effective September 2019.

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 235-19 *AUTHORIZE NON-UNION SALARY
(LEGISLATIVE OFFICE)*

WHEREAS: Legislative approval is required for all Non-Union salaries; and

WHEREAS: The Clerk to the Legislature position shall become vacant on September 14, 2019 due to a retirement; and

WHEREAS: The Legislature would like to promote Cathy Haskell, Deputy Clerk to the Legislature, into the Clerk to the Legislature position; therefore be it

RESOLVED: That Cathy Haskell shall be appointed Clerk to the Legislature effective September 14, 2019 at an annual salary of \$70,000.

Legislator Hollenbeck made a motion to amend the above resolution, seconded by Legislator Monell and to read as follows:

Add at the end of the Resolved “and there shall be no salary increase for 2020”.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 236-19 *ACCEPT AUCTION BIDS FOR COUNTY OWNED PROPERTY ACQUIRED FOR TAXES, AUTHORIZE EXECUTION OF DEEDS*

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Berkshire, Candor, Newark Valley, Nichols, Owego, Richford , Spencer and Tioga were offered for sale at Public Auction conducted Wednesday, August 07, 2018, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of

the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

Prior Owner-Tax Map#	Purchaser	Bid
<u>Town of Barton:</u>		
Mark J & April Walmsley; 166.16-3-3	Michael E. Myers & Andrew Aronstam	\$10,500
Lois Randall; 167.09-1-12.20;	Fredrick Eccleston	\$4,500
William & Addie Greenig; 123.00-3-1	Andrew R. & Jessica C-B McGee	\$100,000
Bonnie & Vernon Rogers; 123.00-2-18.20	Christopher R. Uettwiller	\$27,000
<u>Town of Berkshire</u>		
Anna & Lee Olmstead; 32.00-1-20	George A. Hoffmier Sr. & Jr	\$8,000
<u>Town of Candor:</u>		
Kathy A Duffy-Wentz; 61.13-1-26	Jennifer L. Hill	\$16,000
Ruth & Wilbert M Jackson; 61.09-2-7	Dawn M. Shedden	\$10,000
Howard R Leonard; 27.00-1-9.412	Joshua N. Lee	\$1,700
Richard Hayes; 52.00-2-2.12	Eric D. Slate	\$37,000
Howard R Leonard; 38.00-1-23	Gerald R. & Tina L Jones	\$1,250
George & Mandi Parker; 51.00-1-13.10	Timothy C. & Connie J. Jordan	\$12,000
<u>Town of Newark Valley:</u>		
Gerald F Farr; 64.00-2-23	George A. Hoffmier Sr. & Jr.	\$17,500
Olive Joan French; 44.00-1-45	Cody M. French	\$5,000
Deborah M Fedorwicz; 64.19-1-4	Patterson Court LLC	\$2,500
Lisa & Rodger Kalpokas; 52.00-1-12.42	William M. & Kathryn J. Davey	\$650
<u>Town of Nichols:</u>		
Norman C & Joyce E Amberge; 149.13-1-27	BTSB Properties, LLC	\$43,000
Frank Auge; 168.00-3-11.70	Austin Rentals	\$32,000
Anthony & Karen Menendez; 172.00-1-9.10	James Al. & Ray C. Lohmeyer	\$10,000
Richard W & Georgiea Olmstead; 170.00-2-2	Michael D. Campbell	\$14,000
County of Tioga; 149.00-1-33	Roseann M. & Bryan R. Cole	\$8,500
<u>Town of Owego:</u>		
Robert E Butler; 128.08-3-71	TPR Realty LLC	\$9,500
Robert E Butler; 128.08-7-81	Victoria P. Wagner	\$10,250
Peter D Austin; 143.10-1-38	Richard J. Carling Jr	\$7,750
Jason M Crouthamel; 143.09-1-37	Thaddeus J. Sisson	\$34,000
Jacqueline Kelly; 175.00-2-19.2	Salvatore Peretore III	\$2,750
Manuel Gusta; 96.00-2-22	Thomas D. & Deborah Darpino	\$23,000
Geoff Nunn; 131.19-1-32.2	Gary R. Bradley	\$78,000
Sarah Matt; 128.08-1-1.123	Richard J. Carling Jr	\$50
Corey W. Relyea; 142.14-1-27.21	TPR Realty LLC	\$600
Corey W. Relyea; 128.08-1-1.125	Richard Carling Jr.	\$10
Donald F Myers II; 142.15-1-31	Charles L. & Valerie Everetts	\$1,500
David Space; 175.00-2-48	Harvey L. & Staci S. Romeo	\$4,500

Prior Owner-Tax Map#	Purchaser	Bid
<u>Town of Richford:</u>		
Neal S & Lin M Ingrahm; 4.00-1-4.20	Charles R. Thayer	\$18,000
Howard T & Catherine Schoonover; 11.18-1-37	Stefan A. Marsh	\$3,500
Eric G & Alexis N Andersen; 14.00-1-6.50	David S. Oliver	\$5,500
Albert & Lorena Marichal; 2.00-2-34	Smith Parks Holdings LLC	\$22,000
Dan W Leach & Jennifer C Devine; 4.00-1-10.30	David A. & Mary B Klein	\$11,000
<u>Town of Spencer</u>		
Stephanie A Burgess; 79.00-1-37.2	Pamela S. Pospisil	\$41,500
<u>Town of Tioga:</u>		
Lynn Brandy; 117.11-2-7	Yuriy V Brich	\$11,500
Michael D & Angela Martin; 148.00-1-9.20	Abram H. Nichols	\$20,000
Richard Predmore; 104.00-1-16.20	TPR Realty LLC	\$7,500
Henry C Beebe; 147.00-2-3.25	Reed H. Perkins	\$23,000
Connie H Christiansen; 147.00-2-3.24	Chad Horihan	\$18,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P LEGISLATIVE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 237-19 *AUTHORIZE APPOINTMENT OF ECONOMIC DEVELOPMENT SPECIALIST
ECONOMIC DEVELOPMENT & PLANNING*

WHEREAS: Due to a resignation, the Department of Economic Development and Planning has had a vacant Economic Development Specialist since June 14, 2019; and

WHEREAS: The Director of Economic Development and Planning received authorization to fill said vacancy; and

WHEREAS: McFarland Johnson has completed the review of the bid and finds the low bidder R. DeVincentis meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to R. DeVincentis Construction, not to exceed \$197,000.00 to be paid out of the following account: D51 10.540050 – Bridge Projects

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Monell and Mullen.

No – None.

Absent – Legislator Balliet.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:31 P.M.

Ninth Regular Meeting
September 10, 2019

The Ninth Regular Meeting of 2019 was held on September 10, 2019 and was called to order by the Chair at 6:02 P.M. Eight Legislative members were present with Legislator Monell being absent.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we ask for your guidance as we conduct the business of the citizens of this county. We thank you for the blessing to be born in a free country."

Legislator Standinger led all Legislators and those in attendance in the Pledge of Allegiance.

There were 13 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Legislator Standinger read and presented the following recognition resolution to Maureen Dougherty, Clerk of the Tioga County Legislature.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 239-19 *RECOGNITION OF
MAUREEN DOUGHERTY'S
33 YEARS OF DEDICATED SERVICE
TO THE TIOGA COUNTY LEGISLATURE*

WHEREAS: Maureen Dougherty was appointed to the position of Deputy Legislative Clerk in the Legislative Office on September 2, 1986 and appointed Legislative Clerk on January 4, 1988, the position she has continuously held for the past 31+ years; and

WHEREAS: Maureen has worked with and served under 10 Chairs and 29 Legislators during her time as Legislative Clerk; and

WHEREAS: Maureen was instrumental in working and setting up the first financial system on the AS400 and the establishment of an office of County Auditor in March of 1989 and was appointed Tioga County's first Auditor effective March 13, 1989, the position she has continuously held for the past 30+ years; and

WHEREAS: In 2014 the County undertook a major upgrade to the County's financial system with Maureen being the Project Manager and very instrumental in securing and implementing yet another new financial system from Tyler Technologies (MUNIS), which went live in 2015. This was a tedious project and took many many hours of time, which involved early mornings, late nights and weekends to see this project through; and

WHEREAS: Maureen worked very closely with the Towns and Villages on many projects including a financial system for the Village of Owego that the County installed; and

WHEREAS: Maureen has been dedicated and loyal in the performance of her duties and responsibilities in the Legislative Office. She has earned the respect of her colleagues and peers throughout Tioga County, as well as State and Local officials; and

WHEREAS: Maureen will retire on September 14, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Maureen Dougherty for her 33 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Maureen Dougherty.

ROLL CALL VOTE

Unanimously Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "Maureen has been an excellent asset to the Legislature. When I came on the Legislature seven years ago, she was the go to person because she knows everything about what is going on. She can be grumpy at times, but she makes up for it. She has a heart of gold. We are going to miss you."

Legislator Weston spoke. "Thank you very much for a job well done. We certainly appreciate it. We will probably see you in the future, as I am sure the County will still know that you are representing them."

Maureen Dougherty spoke. "Thank you very much for the recognition resolution and for the kind words from Bill and Dale. Much appreciated.

"First and foremost, I am thankful to God for giving me the opportunity and pleasure to serve the Tioga County Legislature for 33 years. I am thankful for my sons and grandchildren who have been there for me and supported me through the years. I am grateful to Craig who has been there for me to support me.

"I would like to posthumously recognize those who made this endeavor possible for me and that is General Lyon who had the forethought to approach me and ask me to work in the Legislative Office back in 1986 as a Deputy Legislative Clerk. I would also like to recognize Leon Thomas who was very instrumental in helping me get my career with the Legislature off the ground and running. There are many other Legislators, who have come and gone over the past 33 years, who have made an indelible impression on me and I am grateful for their support of me.

"To the current Legislature, I am humbled and honored to have served you over the past several years and I am very grateful for the opportunity you have given me.

"To my fellow Department Heads, I have been honored to serve alongside each of you over the years and work as a team together on many projects throughout the County. The most recent one in the last few years being the new financial system that Tioga County has embarked on.

"To the employees of Tioga County, I am grateful to have worked with many of you. We have a great employee base here in Tioga County and there are so many wonderful people, who have worked and are working for Tioga County.

"I would like to recognize and thank the following employees who have made a huge influence on me for both their work ethics and for being exceptionally wonderful people who have worked with me over the years.

"First and foremost, Amy Poff, who I just cannot say enough about. Amy is a truly wonderful person.

"To Rita Hollenbeck, who just completely amazes me with her expertise and knowledge on finances and for also being a truly great friend.

"To the Buildings and Grounds crew; Mike, Dave, Josh, Tom and others. They are incredible at what they do and have done for the County for keeping

the grounds and buildings functioning. They have rescued me several times and are some of the most wonderful people I have ever dealt with.

“To Judy Quigley, former County Attorney, who made a great impression on me with her knowledge and wit and who helped me in so many ways with legal issues and grounding me when I felt I was sinking.

“As the resolution stated, I have worked under 10 Chairs and 29 Legislators during my tenure as Legislative Clerk. Some of which has been challenging to say the least. Legislator Bud Oliver was instrumental in helping me set up the first financial system on the AS400 back in the late 80's and helped establish the County Auditor position for Tioga County, which I was the first officially appointed County Auditor for Tioga County. And, then of course, the new MUNIS financial system that we switched over to and that I was the Project Manager for.

“I have worked with towns and villages over the years and at the State level on many issues.

“I took the policy handbook as part of the County and made that into an Employee Handbook that is more user-friendly.

“I spent many early mornings during the winters making phone calls to Departments regarding closing of the County due to snow until we went to a robocall system. It was a wonderful thing waking up to Mike Jackson at 5:30 or so in the morning to help me get the phone tree going.

“There are so many things that happened over 33 years, but know that I am grateful for my years of service to Tioga County. It has not only been a job, it has been my every waking moment for the past 33 years. It has been like a family to me and I am not sure what I am going to do when I wake up next week and do not have to come here and walk the halls of 56 Main Street.

“I will truly miss working here and all the wonderful people that have etched some incredible memories for me.

“Thank you again to the Legislature for their faith in appointing me to serve the County and relying on me to run the ship for as long as I have. Thanks”.

Chair Sauerbrey noted the following three proclamations on National Preparedness Month, National Alcohol Substance Abuse Recovery Month in Tioga County, and National Suicide Prevention Awareness Month in Tioga County

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: September is nationally recognized as National Preparedness Month; and

WHEREAS: In 2011, Tioga County experienced significant damage as a result of Hurricane Irene and Tropical Storm Lee moving through the Southern Tier. Recent local and national events also highlight the devastation natural disasters can cause; and

WHEREAS: Threats can come in many forms including natural disasters, terrorist attacks and pandemic disease outbreaks; and

WHEREAS: Community preparedness improves the ability of municipalities and emergency agencies to respond to disasters, secure necessary resources and quickly recover; and

WHEREAS: Trained Medical Reserve Corps volunteers are vital in events and can be called upon in hazards that pose a threat to the public's health; and

WHEREAS: Tioga County Public Health recommends citizens prepare well thought out plans for communications, sheltering in place and a strategy of escape; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2019 as:

NATIONAL PREPAREDNESS MONTH

and urges all citizens of our County to become more involved in preparing together as a community. Disasters don't plan ahead, but you can.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Prevention, treatment and recovery efforts improve the community's welfare and provide renewed outlook on life for those who, along with their family and friends, struggle with substance use disorders; and

WHEREAS: 7.7 million adults have a co-occurring mental health and substance use disorder; and

WHEREAS: Of the 20.3 million adults in the United States with a substance use disorder, 37.9% also have a co-occurring mental health disorder; and

WHEREAS: Substance abuse negatively affects children, families and loved-ones and takes a great toll on our society economically and in terms of safety; and

WHEREAS: Studies have indicated that people who made an effort to get treatment, but did not receive it, were concerned that receiving treatment might cause neighbors and community members to have negative opinions of them; and

WHEREAS: Fear and stigma continue to be barriers to seeking help for an addiction; and

WHEREAS: CASA - Trinity provides prevention, education, advocacy, early intervention and referral services for individuals, friends or family members who are living with an addiction; and

WHEREAS: Tioga County Department of Mental Hygiene remains eager and prepared to provide treatment for Tioga County Citizens who choose to work toward recovery for a substance use disorder; and

WHEREAS: Such education and raising awareness is essential in overcoming misconceptions and achieving long-term recovery; and

WHEREAS: To help achieve this goal, the US Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy, the New York State Office of Alcoholism and Substance Abuse Services, and the Tioga County Department of Mental Hygiene invite all Tioga County residents to participate in the 30th anniversary of National Alcohol and Drug Addiction Recovery Month; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2019 as:

NATIONAL ALCOHOL SUBSTANCE ABUSE RECOVERY MONTH IN TIOGA COUNTY

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County and are proud to support the observance of National Suicide Prevention Awareness Month; and

WHEREAS: Suicide is the 12th leading cause of death in New York State; and

WHEREAS: Suicide is the second leading cause of death for ages 15-34 and fourth leading cause of death for ages 35-54; and

WHEREAS: Almost six times as many people died by suicide in New York in 2017 than in alcohol related motor vehicle accidents; and

WHEREAS: Suicide claims the lives of over 1,696 New Yorkers each year, or an average of one person dies of suicide every five hours in the state; and

WHEREAS: The total deaths to suicide reflect a total of 34,028 years of potential life lost before age 65; and

WHEREAS: Stigma works against Suicide Prevention by discouraging persons at risk from seeking lifesaving help; and

WHEREAS: Most suicides are preventable; and

WHEREAS: Tioga County Suicide Prevention Coalition's mission is to increase awareness, provide education, training, resources and coordinate community services to the public; and

WHEREAS: Tioga County is no different than any other community in the country, but chooses to publicly state and place our full support behind local educators, mental health professionals, and parents, as partners in supporting our community in simply being available to one another; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2019 as:

NATIONAL SUICIDE PREVENTION AWARENESS MONTH IN TIOGA COUNTY

Legislator Standinger spoke. "Out front of this building, there are 660 flags and those represent the 22 veterans a day that take their own life. That is one year's worth of veterans. Each flag represents the death of a veteran due to suicide. This was set up by Tioga County Veterans Officer Mike Middaugh and is going to be an annual thing. When you look at those flags, think about that; 660 people per year who have served our Country".

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of August 13, 2019, seconded by Legislator Weston and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 240-19 *DESIGNATION OF TIOGA COUNTY LOCAL
DEVELOPMENT CORPORATION, D.B.A.
TIOGA COUNTY TOURISM, AS AUTHORIZED
TOURISM PROMOTION AGENCY FOR 2020*

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the county; and

WHEREAS: The Tioga County Tourism Office coordinates with the state in its tourism grants program; and

WHEREAS: The New York State tourism grants program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA); therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2020 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 241-19 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2020 County taxes among the several Towns are hereby established as follows:

Town of Barton	84.00
Town of Berkshire	100.00
Town of Candor	97.00
Town of Newark Valley	68.00
Town of Nichols	26.00
Town of Owego	72.50
Town of Richford	98.00
Town of Spencer	90.00
Town of Tioga	6.40

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
LEGAL COMMITTEE

RESOLUTION NO. 242– 19 AUTHORIZING EXECUTION OF AN INDEMNITY AGREEMENT BETWEEN THE COUNTY OF GENESEE DEPARTMENT OF MENTAL HEALTH AND THE COUNTY OF TIOGA DEPARTMENT OF MENTAL HYGIENE

WHEREAS: The County of Genesee Department of Mental Health ("Genesee") is (i) acting as lead agency in the development of a behavioral health care cooperative ("BACC") under the New York State Delivery System Reform Incentive Payment Program ("DSRIP") known as Integrity Partners for Behavioral Health ("Integrity Partners"), (ii) acting as lead agency for receipt and disbursement of funds under a Value Based Payments Readiness Program Agreement ("VBPR"), and (iii) executing, delivering and performing the VBPR as its lead agency all of which exposes Genesee to bearing the primary financial risk associated with pursuing a state-sponsored initiative under DSRIP; and

WHEREAS: The County of Tioga Department of Mental Hygiene ("Tioga") wishes to provide for the indemnification of Genesee for Tioga's part in participating in Integrity Partners; and

WHEREAS: It is prudent, necessary, and in the public interest for Tioga to obligate itself contractually to indemnify, hold harmless Genesee in order to induce Genesee to serve and to continue to serve the interests of Tioga, as well as its own interests, in developing of Integrity Partners; the exemption, delivery and performance of the VBPR; and managing the receipt and disbursement of funds under the VBPR; therefore be it

RESOLVED: That the execution of an Indemnification Agreement as approved by the County Attorney between Genesee and Tioga is hereby authorized for the duration of its obligations as a participant in the Integrity Partners program.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO:

PUBLIC WORKS
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 243-19

*AWARD CONTRACT FOR
CLEANING SERVICES FOR
COUNTY BUILDINGS*

WHEREAS: The Commissioner of Public Works received only one sealed bid for cleaning services for the County Buildings on Wednesday, August 14, 2019 at 11:00 AM and the bid was as follows:

GDI Services

Johnson City, NY

COB, B&G & DPW HHS & PSB		Clerk's, CH, CHA ALL BUILDINGS	
*\$77,208.00	*\$149,400.00	*\$117,180.00	\$343,788.00

And

WHEREAS: The Commissioner of Public Works reviewed the bid; therefore be it

RESOLVED: That the Tioga County Legislature award the cleaning bid for all buildings to GDI Services in the amount of \$343,788.00 to be paid out of HHS Buildings Account A1621 540140 and all other buildings out of Buildings & Grounds Contracting Services account A1620 540140 for a term of two years commencing upon adoption of this resolution with price adjustment by the increase in prevailing wages at end of first year.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 244-19 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program (2018), PIN 9754.28 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Construction and Construction Supervision and Inspection work;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$212,300 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phase of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 245-19 *AWARD INSPECTION SERVICES TO
MCFARLAND JOHNSON FOR
PHASE 4 OF BRIDGE PREVENTATIVE MAINTENANCE
PROJECT PIN 9754.28*

WHEREAS: The Preventative Maintenance Bridge Program has been placed on the FHWA Program and will have several phases; and

WHEREAS: McFarland Johnson, Binghamton NY did the design for this project; and

WHEREAS: The Commissioner of Public Works received a Phase 4 proposal for inspection services for this project from McFarland Johnson, Binghamton NY; and

WHEREAS: The proposal for this bridge came in at \$19,684; therefore be it

RESOLVED: That the Tioga County Legislature award the inspection services contract for Phase 4 of the Preventative Maintenance Project to McFarland Johnson, Binghamton NY not to exceed \$19,684 to be paid out of the Bridge Projects Account D5110.540050.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO.246-19 *APPROVE SUPPLEMENTAL
AGREEMENT FOR BRIDGE PREVENTATIVE
MAINTENANCE
PHASE 4 – DESIGN SERVICES*

WHEREAS: The Bridge Preventative Maintenance Project PIN: 9754.28 has been placed on the FHWA Program; and

WHEREAS: The project will be funded as follows:

FEDERAL: 80%
STATE: 15%
LOCAL: 5%

and

WHEREAS: McFarland Johnson was awarded the design services on Resolution 9018; and

WHEREAS: A supplemental agreement was submitted to cover additional costs for additional preliminary design phase services in the amount of \$6,740; therefore be it

RESOLVED: That the Tioga County Legislature approves the Supplemental Agreement for McFarland Johnson, Binghamton, NY to provide additional design services not to exceed an extra \$6,740, for a new total of \$36,112 to be paid out of the Bridge Projects Account D51 10.540050.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 247-19 SOLAR SUBSCRIPTION FOR DEMAND-ONLY
BETWEEN TIOGA COUNTY AND RENOVUS

WHEREAS: Tioga County Department of Public Works is always trying to find ways to save Tioga County taxpayers; and

WHEREAS: Tioga County has become a popular area for solar development; and

WHEREAS: Since Tioga County has a fixed energy contract for most of our electric supply with Constellation until November 2020, we can only take advantage of the demand side of our energy costs; and

WHEREAS: Renovus Solar is one of these developers and they offer a Solar Subscription that gives a 10% discount on energy to offset demand charges; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair of the Legislature or their designee to enter into Solar Subscription Demand-Only contract upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 248-19 *AUTHORIZE COUNTY TREASURER'S OFFICE TO
CREATE REVENUE ACCOUNTS WITHIN BOARD OF
ELECTIONS BUDGET, IN ORDER TO RECEIVE GRANT
FUNDING FROM THE STATE BOARD OF ELECTIONS
AND AMEND BUDGET*

WHEREAS: Pursuant to the Chapter 53 Aid to Localities and Chapter 54 Capital Projects Laws of 2019, signed by Governor Cuomo on April 12, 2019, Tioga County has been allocated funds through the New York State Board of Elections for the respective purposes of implementing Early Voting and purchasing electronic poll books; and

WHEREAS: The Tioga County Board of Elections has no revenue lines in the 2019 operating budget designated to receive such funds; therefore be it

RESOLVED: That the Tioga County Treasurer's Office is authorized to create revenue accounts, amend 2019 budget and accept State Aid within the Board of Elections Capital Budget (Org. H1450) in order to receive grant funding from the State Board of Elections related to Early Voting and the procurement of electronic poll books as follows:

To: A1450 439060 EV19 State Aid Election-Early Voting Funds \$15,000

Legislator Sullivan spoke. "New York State is requiring early voting and it goes into effect this year. Based on Tioga County's population, we need to have at least one location open for early voting for a period of 10 days; including two weekends. The cost of this just in Tioga County for this year is roughly \$143,000. A big chunk of this is new software and devices that have to be purchased. I just want people to be aware that this is a costly undertaking and you can imagine what larger counties with larger populations have to do and the costs to them".

Legislator Standinger spoke. "This is yet another unfunded mandate from our equivalence in Albany".

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 249-19 *APPROVE ELECTRONIC POLL BOOKS CAPITAL
GRANT TO REIMBURSE TIOGA COUNTY
FOR ELECTRONIC POLL BOOK PURCHASE*

WHEREAS: As part of the State Fiscal Year (SFY) 2019/20 budget, Governor Cuomo signed into law Chapter 54 of the Laws of 2019 on April 12, 2019; and

WHEREAS: Such law implemented the Electronic Poll Book Capital Grant to reimburse \$14 million to County Boards for local dollars spent to further implement capital purchase of e-poll books and associated software, on-demand ballot printers and related cybersecurity software; and

WHEREAS: Counties are anticipated to receive \$15,000 of such funds per planned early voting site, with the remainder of the funds being distributed to counties based on number of registered voters as of February 1, 2019; and

WHEREAS: The reimbursement program requires each County Board of Elections to provide a capital projects grant program workplan / budget, which will require a narrative summary, description of expenditures and other metrics; and

WHEREAS: On August 8, 2019, a proposed grant contract from the New York State Board of Elections for \$42,108.51 was received by the Tioga County Board of Elections to be reviewed and signed by the Election Commissioners, Treasurer or other authorized county representative, and notarized; therefore be it

RESOLVED: That the Tioga County Board of Elections is approved to submit the signed paperwork to the NY State Board of Elections in order for Tioga County to be eligible for reimbursement of the aforesaid amount, after the purchase of electronic poll books.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 250-19 *AUTHORIZE FUNDING FOR TIOGA COUNTY BOARD
OF ELECTIONS TO PURCHASE ELECTRONIC POLL
BOOKS AND AMEND BUDGET*

WHEREAS: Governor Cuomo signed Chapter 6 of the Laws of 2019 on January 24, 2019, mandating the implementation of Early Voting in New York State starting with the 2019 general election, and Chapter 55 on April 12, 2019, authorizing the use of electronic poll books in New York State; and

WHEREAS: The NYS Board of Elections has certified electronic poll book systems from three vendors for use in New York State, and NYS Office of General Services has awarded or is in the process of awarding statewide contracts with said vendors; and

WHEREAS: Electronic poll books will be instrumental in implementing early voting due to the necessity of tracking and uploading voter history at the end of each day of early voting to prevent voter fraud; and

WHEREAS: On-demand ballot printers are a necessity for early voting to ensure that each early voter from anywhere in the county is issued the correct ballot for their district; and

WHEREAS: Tioga County has over 33,000 registered voters and it is recommended to have one electronic poll book per 500 voters plus spares, hence Tioga County requires 68 electronic poll books; and

WHEREAS: Election Commissioners anticipate the need for four (4) on-demand ballot printers (one redundant) in busy election years for our early voting center; and

WHEREAS: Tioga County will have one (1) early voting center and 18 Election Day poll sites, and will require a secure router to facilitate communication among e poll book devices for each of these sites; and

WHEREAS: The cost of 68 electronic poll book systems from the desired vendor, Robis, Inc., has been quoted at \$1,762 each (hardware and software) plus a \$5,000 implementation fee, for a total of \$124,816; and

WHEREAS: The cost of four on-demand ballot printers is quoted at \$595 each for a total of \$2,380; and

WHEREAS: The cost of 19 secure routers (Peplink Soho Pepwave Multi Homed Router) is quoted at \$200 each, for a total of \$3,800; and

WHEREAS: The Tioga County Board of Elections has \$7,000 available under computer and equipment budget lines to apply to aforesaid expenses; therefore be it

RESOLVED: That the Tioga County Board of Elections 2019 budget be amended to include an additional \$124,000 under the Election Expense line (A1450 – 540490) in order to procure electronic poll books and facilitate smooth election operations as follows:

From: A1450 520090 Computer	\$ 2,000.00
A1450 520130 Equipment	5,000.00
To: H1450 520490 EP19 Capital Election Expense	\$ 7,000.00
From: H1450 439060 EP19 State Aid Election Electronic	
Poll Books	\$ 42,109.00
H1450 440890 EP19 Federal Aid HAVA	88,891.00
To: H1450 520490 EP19 Capital Election Expense	
Electronic Poll Books	\$124,000.00

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGAL/FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO: 251-19 *ABOLISH POSITION IN TREASURER'S OFFICE AND CREATE POSITION IN LAW DEPARTMENT; TRANSFER FUNDS FROM TREASURER BUDGET TO LAW BUDGET AND MODIFY BUDGETS*

WHEREAS: Legislative approval is required to abolish and create positions within Tioga County employment; and

WHEREAS: Budget modifications and transfer of funds require Legislative approval; now therefore be it

RESOLVED: That the position of Paralegal in the Treasurer's Office currently held by Kevin Humes be and hereby is abolished retroactive to August 31, 2019; and be it further

RESOLVED: That the position of Paralegal be created in the Law Department retroactive to August 31, 2019; and be it further

RESOLVED: That the position of Paralegal in the Law Department be filled by Kevin Humes at his current rate of pay of \$38,081 retroactive to August 31, 2019; and be it further

RESOLVED: That the following budget modification and transfer of funds be made:

FROM:	A1325-510010 - Treasurer's Full-time payroll	\$13,131.00
	A1325-581088 - Retirement	\$ 841.20
	A1325-583088 - Social Security	\$ 859.16
	A1325-584088 - Workers Comp	\$ 527.76
	A1325-585588 - Disability	\$ 34.80
	A1325-586088 - Health Insurance/HRA	\$ 2,895.04
	A1325-588988 - EAP	\$ 4.48
TO:	A1420-510010 - Law Full-time payroll	\$13,131.00
	A1420-581088 - Retirement	\$ 841.20
	A1420-583088 - Social Security	\$ 859.16
	A1420-584088 - Workers Comp	\$ 527.76
	A1420-585588 - Disability	\$ 34.80
	A1420-586088 - Health Insurance/HRA	\$ 2,895.04
	A1420-588988 - EAP	\$ 4.48

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 253-19 *AUTHORIZE POSITION RECLASSIFICATIONS
SOCIAL SERVICES*

WHEREAS: Legislative approval is required for any position reclassification; and

WHEREAS: As a result of a recent retirement, one Social Services Employment Specialist position (CSEA Grade VII) became vacant on August 24, 2019; and

WHEREAS: The Commissioner of Social Services has determined that a Caseworker position (CSEA grade XI) will better meet the needs of the agency in light of the significant growth in hotline activity and the resulting foster care work; and

WHEREAS: There is a vacant Office Specialist I position (CSEA grade III) in the Department of Social Services which the Commissioner would like to reclassify to Social Welfare Examiner (CSEA grade VI) in order to better serve the work demands; and

WHEREAS: The Personnel Officer is in agreement with the reclassifications; and

WHEREAS: The net budgetary impact for both changes will be approximately +\$788 which the existing departmental budget can cover; therefore be it

RESOLVED: That one vacant position of Social Services Employment Specialist be reclassified to Caseworker with permission to fill effective September 14, 2019; and be it further

RESOLVED: That one vacant Office Specialist I position be reclassified to Social Welfare Examiner with permission to fill effective September 14, 2019; and be it further

RESOLVED: That said changes do not impact headcount for the Department of Social Services.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolutions considered, seconded by Legislator Standing and carried.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PERSONNEL COMMITTEE
LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 254-19 *CREATE POSITION AND BACKFILL; INCREASE HOURS OF TWO POSITIONS DISTRICT ATTORNEY'S OFFICE*

WHEREAS: Legislative approval is required for creation of any new positions and for Non-Union hires; and

WHEREAS: CAP Court regulations will require staff of the District Attorney's Office to appear at AM and PM Cap Court sessions when arraignments occur and also recent justice reforms will require District Attorney staff to prepare and present motions and discovery packets; and

WHEREAS: Current staffing level will not accommodate the additional workload resulting from the new regulations; and

WHEREAS: The District Attorney is compelled to comply with the Public Officers Law which requires the second in command within each District Attorney's Office to reside within the County; therefore be it

RESOLVED: That one part-time (2 days/week) position of Chief Assistant District Attorney (Non-Union salary range \$29,500 – \$30,238) shall be created effective September 30, 2019 and Palmer Pelella, a resident of Tioga County, shall be appointed at an annual salary of \$30,000; and be it further

RESOLVED: That the position of 2nd Assistant District Attorney shall increase from 4 days per week to full-time effective September 30, 2019 and Sandra Cardone shall be appointed to that position effective September 30, 2019 at an annual salary of \$65,000 to serve as the Office's compliance lawyer, preparing motions and discovery packets; and be it further

RESOLVED: That one part-time Typist position shall be reclassified to Confidential Assistant and increase in hours from 17 up to 29 per week at an hourly rate of \$12.94, and Joan Roberts shall be provisionally appointed to that position effective September 30, 2019; and be it further

RESOLVED: That the Chief Assistant District Attorney and all Assistant District Attorneys shall serve in rotation for evening CAP Court and after CAP Court has been in operation for at least three months, the District Attorney may then approach the County Legislature requesting additional compensation for all attorneys, if the additional evening CAP Court workload warrants it; and be it further

RESOLVED: That the District Attorney's Office authorized full-time headcount for 2019 shall increase from 4 to 5 and part-time headcount shall remain at 3.

Legislator Mullen spoke. "This is another example of the change in the criminal justice system in New York State where the burden is now upon the people and is costing the County over \$100,000 in the next couple of years and requiring more and more positions. Plus, establishing the CAP Court is another example of overreach from Albany. Unnecessary."

Legislator Standinger spoke. "This is to remedy a non-existent issue Upstate. This is to address issues in the Downstate area. Albany technically thinks one size fits all".

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Weston, Balliet, Hollenbeck, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 255-19 *REQUEST FOR A TRANSFER OF CONTINGENCY FUNDS TO THE DISTRICT ATTORNEY AND AMEND BUDGET*

WHEREAS: The District Attorney's Office has a need for additional funds not in their 2019 budget to cover necessary expenses; and

WHEREAS: The District Attorney's budget historically had \$35,000.00 in their Trial Costs line item 540720 which was reduced by the budget officer in 2018 and 2019 and now does not have sufficient funds to cover Trial Costs; therefore be it

*Sixth Special Meeting
September 19, 2019*

The Sixth Special Meeting of 2019 was called to order by the Chair at 10:00 A.M. Seven Legislative members were present with Legislators Monell and Standinger being absent.

Chair Sauerbrey asked for a moment of prayer. "Heavenly Father, we praise you and thank you for today and for the blessings you give us every day. We ask that you guide us in our decision-making, as we watch over all our constituents and pray for our nation, as well."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were six people in attendance.

Commissioner of Public Works Hammond spoke. "This is a bridge on Oak Hill Road and during the flash flood event in August 2018 there was significant scour under the bridge and we need to repair the bridge; the scoured areas and slope protection. Currently, submitting this project to FEMA to get funding. It is an active project."

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC WORKS
LEGISLATIVE WORKSESSION

RESOLUTION NO. 256-19 *AWARD CONSTRUCTION
OAK HILL ROAD BRIDGE
BIN: 3334940*

WHEREAS: Oak Hill Road Bridge BIN 3334940 is a bridge that needs repair due to an inspection by NYSDOT; and

WHEREAS: Funding is available for the repair of the Oak Hill Road Bridge BIN: 3334940; and

WHEREAS: The Commissioner of Public Works received sealed bids on September 12, 2019 and the bids came in as follows:

Silverline Construction, Inc.	\$192,934.00
Bothar Construction, LLC	\$257,053.00

WHEREAS: Tioga County DPW has completed the review of the bids and finds the low bidder Silverline Construction, Inc., Burdett, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Silverline Construction, Inc., Burdett, NY not to exceed \$192,934.00 to be paid out of the following account:

H5110.540002.H1906 – Oak Hill Road Bridge – BIN 3334940

ROLL CALL VOTE

Yes – Legislators Balliet, Roberts, Weston, Mullen, Hollenbeck, Sullivan, and Sauerbrey.

No – None.

Absent – Legislators Monell and Standingger.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:03 A.M

Tenth Regular Meeting
October 15, 2019

The Tenth Regular Meeting of 2019 was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Heavenly Father, we thank you for all the blessings you have bestowed upon us. We ask you to continue to watch over us, guide us, as we try to do the best for our residents."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

There were six people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Chair Sauerbrey read the following recognition resolution for former Legislator William E. Caloroso posthumously.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

Chair Sauerbrey spoke. "Out of respect for former Legislator William E. Caloroso, the Legislature thought it was only appropriate that we present the following resolution."

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 257-19 *RECOGNITION RESOLUTION RECOGNIZING
WILLIAM E. CALOROSO POSTHUMOUSLY*

WHEREAS: William E. Caloroso passed away on September 6, 2019; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Mr. Caloroso for his years of dedicated service as a Tioga County Legislator; and

WHEREAS: Bill was elected to the position of Tioga County Legislator on January 1, 1996 and served for six years until leaving office on December 31, 2001; and

WHEREAS: Bill served as the Chair of Finance during his six-year term. He also served on the County Clerk/Records Management/Real Property/Veterans/Elections/Legislative Support/Purchasing, ED&P/ Tourism/ Legal/Job

Training, Agriculture, Information Technology & Administrative Services, Health & Human Services, Personnel, and Public Safety & Probation Committees; and

WHEREAS: Bill also served as a 15-year board member of the Tioga County Industrial Development Agency holding the office of Treasurer during this time; and

WHEREAS: Bill is survived by his wife of 61 years Joann and sons Michael and Kirk; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize William E. Caloroso posthumously for his years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of William E. Caloroso.

ROLL CALL VOTE

Unanimously Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey spoke. "Thankfully, Legislator Standinger has offered to deliver this resolution to Joann Caloroso and present it to her personally, which is very nice. I worked with Mr. Caloroso and he was a gentleman."

Legislator Sullivan spoke. "Bill spent several years on the Town of Nichols Board, so he has spent a good portion of his life in service to the residents of Tioga County."

Chair Sauerbrey spoke. "Legislator Balliet will be making a very special presentation today."

Legislator Balliet read and presented the following proclamation to Veterans Service Agency Director John F. Holton, Sr.

PROCLAMATION RECOGNIZING JOHN F. HOLTON, SR.

WHEREAS: John F. Holton, Sr. was appointed to the title of Director of Veterans Service Agency on October 17, 2016; and

WHEREAS: During John's time with Tioga County he proved to be a valuable asset and resource for the veterans of Tioga County, going beyond the call of duty; and

WHEREAS: John performed his duties with professionalism and genuine concern for the veterans of the County; and

WHEREAS: John worked cooperatively with all County departments and employees as well as other State and Federal agencies; and

WHEREAS: John actively participated with, the Tioga County Allies in Substance Abuse Prevention Board, Suicide Prevention Task Force, Community Services Board, Southern Tier Veteran Support, Veteran Advisory Committee to Congressman Anthony Brindisi, Member of the State of New York Veterans Service Officer Association, in an effort to expand services and awareness for veteran's needs; and

WHEREAS: John was well respected by his peers and State and Federal elected officials; and

WHEREAS: John is retiring from his work at the County on October 25, 2019; therefore

THE TIOGA COUNTY LEGISLATURE wishes to express their sincere gratitude to John for his diligent work performed for the County and the veterans of Tioga County.

Legislator Standinger spoke. "I would like to say John has done a bang up job and I certainly appreciate the effort. For myself and Dennis Mullen being veterans, I thank you."

Legislator Mullen spoke. "When I came on the Legislature in 2016, our Veterans Office, for lack of a better term, was not very well run, utilized, or respected. Those three things John has corrected to the point where they are highly respected and the veterans in this County are very well served now because John proved it could be done and it has been done. My pledge to John is that his good work will not go unnoticed, unrecognized, and will continue."

Thank you very much for what you have done for the veterans of Tioga County and New York State as a whole.”

Legislator Weston spoke. “I would like to say ibid to all that has been said. Thank you very much.”

Mr. Holton spoke. “Three years, it went by real quickly. Thank you for seeing the potential in the office, in my abilities, and I am grateful and humbled to have served the veterans of this County. By the way, I will continue to serve in the background. None of my abilities would have been able to come to the fore if it had not been for the support of many of you on the Legislative staff. But, first and foremost, the rock in my life and best friend, Peg, has been there through the good times and the difficult times. I am grateful to you, dear, for all you have done. Thank you. I am humbled to have been able to serve. Be well. I will see you around. Thank you.”

Chair Sauerbrey noted the following proclamation on Breast Cancer Awareness Month in Tioga County.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: October is designated as *National Breast Cancer Awareness Month*; and

WHEREAS: Cancer is the second leading cause of death in the United States with breast cancer being the most common form of cancer, besides skin cancer, among women; and

WHEREAS: About 245,000 cases of breast cancer are diagnosed in women, and 2,200 in men, annually in the United States; and

WHEREAS: About 41,000 women, and 460 men, die from breast cancer each year in the United States; and

WHEREAS: The rate of Tioga County women diagnosed with breast cancer is 126.6 per 100,000, compared to the New York State rate of 131.3 per 100,000; and

WHEREAS: Tioga County Public Health advocates awareness, coupled with education and outreach, which can be utilized to decrease the number of women and men diagnosed with breast cancer, and increase the rate of breast cancer screenings in Tioga County, therefore

The TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the month of October 2019 as:

BREAST CANCER AWARENESS MONTH IN TIOGA COUNTY

and urges all Tioga County residents, particularly women, to consult with their primary care provider regarding preventative measures such as clinical breast examinations, regular mammograms, and monthly breast self-examinations.

There was no privilege of the floor.

Legislator Weston made a motion to approve the minutes of September 10, 2019 and September 19, 2019, seconded by Legislator Mullen and carried.

Chair Sauerbrey stated there are no petitions, communications, notices, appointments or re-appointments.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE
RESOLUTION NO. 258-19 SET PUBLIC HEARING
2020 BUDGET

RESOLVED: That the public hearing on the tentative Tioga County Budget for 2020 be held at 9:30 A.M., Tuesday, November 12, 2019, in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 259-19 APPOINT MEMBER
BOARD OF ETHICS

WHEREAS: There is a vacancy on the Board of Ethics due to the resignation of Daniel Gelatt; and

WHEREAS: Gwendolyn Isham, Village of Candor resident, has agreed to serve on the Board of Ethics; therefore be it

RESOLVED: That Gwendolyn Isham be hereby appointed to the Board of Ethics for a retroactive term beginning September 10, 2019 to March 31, 2020.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 260-19 APPOINT MEMBER TO THE TIOGA COUNTY
LOCAL DEVELOPMENT CORPORATION

WHEREAS: Sonny DeWitt has resigned from the Local Development Corporation Board effective immediately; and

WHEREAS: Christina Di Stefano has expressed her desire to serve on the Local Development Corporation Board for the remainder of Sonny DeWitt's term.

WHEREAS: The Tioga County Local Development Corporation Board of Directors has found Christina Di Stefano willing and able to fill said vacancy; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Christina Di Stefano to fill said vacancy and serve the remainder of Sonny DeWitt's term 10/15/19 - 03/31/21.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 261-19 APPOINT REAP BOARD MEMBER

WHEREAS: The By-Laws of the REAP Board require that the Legislature nominate one person to act as its member in the REAP Board of Directors; and

WHEREAS: Brittany Woodburn's term expired on April 14, 2019; and

WHEREAS: Abbey Hendrickson, Community Development Specialist, is willing to serve on the REAP Board of Directors; therefore be it

RESOLVED: That Abbey Hendrickson, Community Development Specialist, be hereby appointed to the REAP Board for a two year term from October 15, 2019 through October 14, 2021.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 262-19 APPOINT AND EXTEND YOUTH BOARD
MEMBER TERM
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 221-14 and vacancies exist; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 58-12 and terms have expired; now therefore be it

RESOLVED: That the following listed representative be appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation; and that the following listed representative's term be extended as follows:

Kathleen Clark (Extending Term) 1/1/2020 – 12/31/2023

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 263-19 AMEND RESOLUTION 177-19
APPROVE FUNDING
2019 YOUTH BUREAU PROGRAM FUNDING

WHEREAS: The Tioga County Legislature approved Youth Bureau program funding with Resolution 177-19 which is 100% reimbursable from the New York State Office of Children and Family Services; and

WHEREAS: The Tioga County Youth Board has reviewed 2019 applications for funding which are consistent with guidelines previously presented to the Legislative Committee; and

WHEREAS: Resolution 177-19 needs to be amended to reflect changes in program allocations and overall total allocations of \$215.00; and

WHEREAS: Resolution 177-19 needs to be amended to reflect an increase in allocation of \$1000 each to Kali's Klub House and CASA-Trinity; and

WHEREAS: Resolution 177-19 needs to be amended to reflect the removal of allocation to the Tioga County Boys and Girls Club; now therefore be it

RESOLVED: That the following programs recommended by the Tioga County Youth Board for program year 2019 be amended and approved by the Tioga County Legislature in the amounts indicated:

Cornell Cooperative Extension 4H Summer Youth Enrichment	\$4,000
Big Brothers Big Sisters Mentoring	\$3,000
Village of Newark Valley Summer Rec	\$2,250
Cornell Cooperative Extension Family Resource Center	\$5,000
Spencer Van-Etten Schools PAVE	\$5,175
Tioga Central Schools Summer Rec	\$8,000
Village of Waverly Summer Rec	\$5,000
Casa Trinity Teen Space	\$3,880
Catholic Charities YES	\$4,500
Kali's Klub House 7 Keys to Success	\$5,000
Total Allocations	\$45,805

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 264-19 *AMEND DENTAL SERVICES FEE SCHEDULE
PUBLIC HEALTH*

WHEREAS: Tioga County Public Health provides dental services; and

WHEREAS: The fee schedule for dental services needs updating; and

WHEREAS: Typical industry standards are fees based upon percentage of the NYS established Medicaid Dental Fees; and

WHEREAS: To maximize revenue and simplify the dental fee schedule update process, Public Health has determined that establishing the fee schedule as the Medicaid Dental Fee plus 20% is appropriate; and

WHEREAS: Establishment or modification of fee schedules requires Legislative approval; therefore be it

RESOLVED: That Tioga County Dental Services fee schedule be set at 120% of the NYS established Medicaid Dental Fee rate effective November 1, 2019 and adjusted accordingly in the future.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 265-19 APPROVE 2019-2020 STOP DWI PLAN
STOP DWI

WHEREAS: The New York State Governor's Traffic Safety Committee (GTSC) requires counties to submit an annual STOP DWI Plan by October 1st for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2019-2020 STOP DWI Plan to the Tioga County Legislature for approval; therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the 2019-2020 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$32,000
Prosecution Related	\$13,000
Probation	\$18,427
Rehabilitation	\$13,000
PI&E	\$14,000
Administration	\$ 5,450
	<hr/>
	\$95,877

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 266-19 AUTHORIZE 2020 CONTRACTS WITH SADD
SCHOOL ASSOCIATES
STOP DWI

WHEREAS: It is the desire of the STOP DWI Program to arrange five contracts with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: It is the desire to contract with the following five SADD School Associates for the calendar year 2020; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Joan Beck to serve the Owego Apalachin School District; Britney Elsey to serve the Spencer Van Etten School District; and Janice Barto to serve the Tioga Central School District; and

WHEREAS: Each SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That these contracts for SADD School Associates be authorized for the 2020 calendar year.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 267-19

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program (2019), PIN 9754.29 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design and Construction and Construction Supervision and Inspection work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVE: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$252,600 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phase of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 268-19 *AUTHORIZE CONTRACT WITH EXCELLUS BLUE
CROSS/BLUE SHIELD TO ADMINISTER HEALTH
INSURANCE BENEFITS*

WHEREAS: Tioga County uses the service of Excellus Blue Cross Blue Shield of Central New York to administer health insurance benefits for Tioga County including a Medicare Blue PPO plan; and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York has submitted a new contract to administer fully insured benefits for Tioga County employees for the period of January 1, 2020 through December 31, 2020; and

WHEREAS: These are contractual benefits for Tioga County union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Blue Cross Blue Shield of Central New York, subject to review by the County Attorney, to administer health insurance benefits for Tioga County for the period January 1, 2020 through December 31, 2020.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 269-19 *AUTHORIZE CONTRACT WITH THE HARTFORD TO ADMINISTER MEDICARE ELIGIBLE RETIREE HEALTH INSURANCE*

WHEREAS: Effective January 1, 2014 Tioga County implemented The Hartford Medicare Supplemental Plan F coupled with a Medicare Part D drug plan for Medicare eligible retirees and retirees' spouses; and

WHEREAS: This Medicare plan continues to provide optimal coverage to Medicare eligible retirees at a lower cost to Tioga County than previous coverage offered; and

WHEREAS: The Hartford has submitted a new contract to administer the Medicare Supplemental Plan F and Medicare Part D drug plan for the period of January 1, 2020 through December 31, 2020; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with The Hartford, subject to review by the County Attorney, to administer these insurance benefits for Tioga County for the period January 1, 2020 through December 31, 2020

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 270-19 *AUTHORIZE CONTRACT WITH LIFETIME BENEFIT SOLUTIONS, INC. TO ADMINISTER FLEXIBLE SPENDING AND HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2020 through December 31, 2020; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2020 through December 31, 2020.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standingier.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO 271-19 *ESTABLISH RETIREE HEALTH INSURANCE CONTRIBUTIONS*

WHEREAS: Retirees who qualified to pay 0% of individual health insurance in accordance with Section IV.B.1.c. of the Employee Handbook Policy "Orientation/Exit Interviews/Recruitment/Retirement" (formerly Policy # 3) are currently not contributing toward their retiree coverage; and

WHEREAS: Due to continually rising health insurance costs, property tax cap, and other factors it is no longer feasible to offer these retirees free health insurance; therefore be it

RESOLVED: That any retiree as of the date of this resolution who qualified for free individual coverage in accordance with Section IV.B.1.c. shall contribute 3.25% of the monthly individual premium effective January 1, 2020.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED & P COMMITTEE

RESOLUTION NO. 272-19 *RESOLUTION IN SUPPORT OF AN EXTENSION TO THE 2007 PILOT AGREEMENT BETWEEN CENTRAL NY OIL & GAS LLC N/K/A STAGECOACH GAS SERVICES LLC AND THE TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY*

WHEREAS: A PILOT Agreement has been in place between Central New York Oil & Gas, LLC N/K/A Stagecoach Gas Services, LLC and The Tioga County Industrial Development Agency (TCIDA) since October 1, 2007; and

WHEREAS: As a result of the PILOT Agreement Central New York Oil & Gas, LLC N/K/A Stagecoach Gas Services, LLC properties included in the PILOT were placed in roll section 8 of the assessment rolls; and

WHEREAS: Central NY Oil & Gas, LLC N/K/A Stagecoach Gas Services LLC is currently paying 100% of real property taxes owed; and

WHEREAS: Central NY Oil & Gas, LLC N/K/A Stagecoach Gas Services LLC will continue to pay 100% of the real property taxes owed; and

WHEREAS: The current PILOT Agreement expires February 6, 2020; and

WHEREAS: Expiration of the current PILOT Agreement would result in the reclassification of Central NY Oil & Gas, LLC N/K/A Stagecoach Gas Services, LLC properties from roll section 8 to roll section 1 in the assessment amount of \$97,184,500; and

WHEREAS: The significant influx to roll section 1 would cause negative tax cap calculation implications for the Owego Apalachin Central School District; and

WHEREAS: Owego Apalachin Central School District has requested of the TCIDA to extend the PILOT to March 2, 2020; and

WHEREAS: The TCIDA is asking all affected taxing authorities to indicate their support of the extension by way of a resolution; therefore be it

RESOLVED: That the Tioga County Legislature supports the extension of the PILOT Agreement between Central NY Oil & Gas, LLC N/K/A Stagecoach Gas Services LLC and the TCIDA to March 2, 2020.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 273-19 APPROVE SUPPLEMENTAL AGREEMENT FOR OAK HILL ROAD BRIDGE BIN 3334940

WHEREAS: The Oak Hill Road Bridge BIN 3334940 is a bridge that needs repair due to a NYSDOT Bridge Inspection; and

WHEREAS: Delta Engineers was awarded the design services on Resolution 130-19; and

WHEREAS: There is a need for Construction Support Services to provide Engineering Services for the projects along with extra design efforts due to FEMA requests; and

WHEREAS: Delta Engineers, Endwell, NY has submitted a proposal for this extra work for the cost of \$14,000; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement for Delta Engineers, Endwell, NY for \$14,000 for a total amount of \$34,750 to be paid out of Oak Hill Road Bridge Emergency Repairs account H5110.540002.H1906

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 274-19 AUTHORIZE AGREEMENT WITH ROBIS ELECTIONS, INC. TO PROCURE ELECTRONIC POLL BOOKS

WHEREAS: During the September 2019 Legislative Session, the Tioga County Legislature authorized funding and amended the Board of Elections budget to purchase Electronic poll books (E-Poll Books); and

WHEREAS: New York State Office of General Services solicited RFPs for select authorized vendors to provide E-Books with one of the approved vendors being Robis Elections, Inc.; and

WHEREAS: Tioga County Board of Elections and the Chief Information Officer have considered the packages provided by the authorized vendors and found that Robis best meets the County’s needs; and

WHEREAS: Tioga County has solicited price quotes from Robis Elections, Inc. under the NYS OGS Contract for a complete E-poll book system; and

WHEREAS: The Tioga County Board of Elections would like to enter into an agreement with Robis Elections, Inc. to purchase sixty-eight E-poll books, nineteen Pepwave routers, and four ballot-on-demand printers, including configuration, implementation, support, and software maintenance fees for a total initial cost of \$133,852, and subsequent annual cost of \$7,892; therefore be it

RESOLVED: The Tioga County Board of Elections is authorized to enter into aforesaid agreement with Robis Elections, Inc. pending approval of the contract by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 275- 19

*AUTHORIZE THE SUBMISSION OF
EMPG19 GRANT APPLICATION
OFFICE OF EMERGENCY SERVICES*

WHEREAS: The NYS Office of Homeland Security and Emergency Services has announced the 2019 EMPG (Emergency Management Planning Grant) funding; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application is submitted. However, due to the short notification period, the Tioga County Office of Emergency Services had to submit an application for this funding by September 27, 2019; therefore be it

RESOLVED: That the Tioga County Office of Emergency Services be given authorization to apply for the 2019 EMPG grant application, after the fact, to be in compliance with County policy.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 276-19 *AUTHORIZE ACCEPTANCE OF
2020 NYS PTS GRANT
(PTS-2020-Tioga Co SO-00348-054)
APPROPRIATION OF FUNDS &
MODIFY 2019 BUDGET
SHERIFF'S OFFICE*

WHEREAS: The Sheriff's Office applied for and was awarded a NYS PTS (Police Traffic Services) grant (PTS-2020-Tioga Co-SO-00348-054) in the amount of \$16,650; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2019 budget be modified and funds be appropriated to the following accounts:

FROM: A3110.433900 Sheriff-State Aid \$16,650

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 277-19 *AUTHORIZE ACCEPTANCE OF HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP19 HE19-1005-D00) APPROPRIATION OF FUNDS & MODIFY 2019 BUDGET EMERGENCY MANAGEMENT*

WHEREAS: The Office of Emergency Services applied for and was awarded a Homeland Security and Emergency Services (DHSES) grant of \$6,465, in which 20% (\$1,293) will be County funded monies; and

WHEREAS: This funding must be accepted and appropriated; therefore be it

RESOLVED: That the Tioga County Legislature authorize the acceptance of this award; and be it further

RESOLVED: That the 2019 budget be modified and funds be appropriated to the following accounts:

FROM: A3360.433567 HME19 DHSES State Aid \$5,172

TO: A3360.540140 HME19 Contracting Services \$6,465

RESOLVED: That the 2019 Emergency Management budget and the Sheriff's Office budget be modified to reflect the above changes.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 280-19 *MODIFY 2019 BUDGET AND TRANSFER FUNDS
SHSP2017 GRANT
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Resolution #260-17 awarded the Office of Emergency Services a 2017 State Homeland Security Grant in the amount of \$69,980; and

WHEREAS: The grant budget has been amended to reflect the costs associated with updating of the County's emergency management plans; therefore be it

RESOLVED: That the 2019 budget be modified and transfer of funds be made as below:

FROM:
A3360.520090 SHS17 Computer \$2,000

TO:
A3360.540140 SHS17 Contracted Services \$2,000

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 281-19 *REQUEST TRANSFER OF CONTINGENCY FUNDS & MODIFY 2019 BUDGET ASSIGNED COUNSEL*

WHEREAS: The Assigned Counsel budget has had a high number of cases for 2019 and the Assigned Counsel account will not have sufficient funds for the remainder of 2019; and

WHEREAS: Contingency funds will need to be transferred from the Contingency Account to the Assigned Counsel Account & modify Assigned Counsel 2019 budget to accommodate the increase in cases for 2019; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990 540715 Contingency Account	\$40,000
To: A1172 540030 Assigned Counsel	\$40,000

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 282-19 TRANSFER OF FUNDS &
MODIFY 2019 BUDGET
PROBATION DEPARTMENT

WHEREAS: Legislative approval is required for transfer of funds and budget modifications; and

WHEREAS: The Probation Department needs to increase the line item for Stationary Supplies and there is money in the line item for Protective Equipment; therefore be it

RESOLVED: That the Probation Department's 2019 budget be modified and funds be appropriated as follows:

From: A3140 520215 Personal Protective Equipment \$832.80

To: A3140 540630 Stationary Supplies \$832.80

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 283-19 AMEND RESOLUTION 51-19
ERRONEOUS ASSESSMENT
TOWN OF NEWARK VALLEY

WHEREAS: Resolution No. 51-19 was adopted on February 12, 2019 to correct the erroneous assessment of an invalid parcel in the Town of Newark Valley; and

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted
Elected Officials						
Legislator	Tracy Monell	6	01/01/19 – 12/31/21	N		X

I, Cathy A. Haskell, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the fifteenth day of October, 2019 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this fifteenth day of October 2019.

Tioga County Legislative Clerk

Affidavit of Posting: I, Cathy A. Haskell, being duly sworn, depose and say that the posting of the resolution began on October 15, 2019 and continued for at least 30 days. That the resolution was available to the public on the

Employer's website at www.tiogacountyny.com

Official sign board at Tioga County Legislative Office.

Main Entrance Clerk's Office at

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

WHEREAS: Legislative approval is required for any Non-union appointment; and

WHEREAS: Due to resignation, the position of Secretary to the Public Health Director (Non-union: \$31,242 – \$41,242) has been vacant since July 5, 2019; and

WHEREAS: The Personnel Officer identified a comparable eligible list for the Public Health Director to use to fill said position; and

WHEREAS: The Public Health Director has identified an acceptable candidate from the eligible list certification; therefore be it

RESOLVED: That Abigail Canzler shall be appointed to the position of Secretary to the Public Health Director at an annual rate of \$36,800 effective October 26, 2019; and be it further

RESOLVED: That Ms. Canzler shall not be eligible for the across-the-board 2020 Non-union salary increase until successful completion of a six (6) month evaluation on April 26, 2020.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:21 P.M.

Public Hearing
2020 Budget
November 12, 2019

The Public Hearing on the 2020 Budget was called to order by the Chair at 9:30 A.M. Six Legislative members were present, Legislators Monell, Roberts, and Sullivan being absent.

There were 11 people in attendance along with Budget Officer Rita Hollenbeck.

The Clerk read the legal notice as published in the official newspapers.

Rita Hollenbeck, Budget Officer gave the 2020 budget presentation.

"Honorable Members of the Tioga County Legislature and residents of Tioga County, I present to you the proposed tentative County budget for 2020.

"2020's budget process presented a few challenges in unfunded and underfunded mandates as well as shifting costs to the local county. The new unfunded mandates include Criminal Justice Reform, Cashless Bail, and Early Voting. Cost shifting to the county is a result of AIM related payments that were previously paid to the municipalities by the State and are now being deducted from the County's portion of sales tax revenue.

"2020 marks the ninth consecutive budget year Tioga County has stayed under the State imposed property tax cap. The nine-year average increase in the tax levy has been 1.74% each year.

"County Department Heads and employees continue to be good stewards of taxpayer dollars, diligently looking for cost saving measures and advocating for additional revenue sources and economic growth. The 2020 proposed budget maintains or enhances current programs and services provided to our citizens.

"Total expenditures for 2020 are \$86,190,635.00, an increase of \$3,825,495.00 or 4.64% while total revenue increased by 7.13% or \$3,899,351.00 for a total of \$58,559,043.00.

"An increase of over \$3 million appropriations is primarily due to new mandates and the related costs including new positions, contractual salary increases and COLA contractual increases. Fortunately, the County has seen productive sales tax growth in both 2018 and 2019. Sales Tax, PILOTs, and interest earnings are the largest contributing factors to the County's revenue increase.

"The total deficit gap is \$27,631,592.00. After applying the 2020 tax levy, I propose using \$2,977,483.00 from both the reserves and fund balance to balance the 2020 budget.

"The total tax levy for 2020 is \$24,654,109.00, up 2.15% over 2019. The County levy will increase by \$529,337.00 or 2.32%. The recycling levy decreased by a nominal \$10,375.00.

"The combined composite tax rate is \$9.03 per \$1,000.00 of taxable value. The average assessed \$100,000 home will pay \$903.00 in county taxes. Tax rates will vary from town to town due to the State established equalization rates and the town's apportionment percent.

"I would like to thank the County Legislature, Department Heads, and all County employees for their participation in the annual budget process. Special recognition and thanks to Terie Huseby, Real Property Director, Bethany O'Rourke, Personnel Officer, and Drew Griffin, ITCS Deputy Director, for their efforts in the annual budget process.

"The proposed tax levy cannot be increased after today's hearing without an additional public hearing."

The Budget Officer presented a slide presentation on budget brief specifics.

There being no other comments, the hearing was adjourned at 9:57 A.M.

Eleventh Regular Meeting
November 12, 2019

The Eleventh Regular Meeting of 2019 was called to order by the Chair at 12:01 P.M. Seven Legislative members were present with Legislators Roberts and Sullivan being absent.

Chair Sauerbrey spoke. "In honor of Veteran's Day yesterday, I invited Major Danielle Ingram, Retired US Air Force Nurse, to join us for the prayer and pledge. Major Ingram is from the US Air Force Nursing Corps where she was deployed on many humanitarian missions for pre-hospital trauma. Major Ingram retired with 20 years of service and did six overseas tours; four of which were in Iraq."

Chair Sauerbrey welcomed Major Ingram to lead us in a moment of prayer. "Our Heavenly Father, we ask you for guidance in the deliberations here today for this Legislative meeting. We ask for protection for our troops overseas who are now defending us in Iraq, Afghanistan, Syria, and other countries. We pray for the souls of the 30 lost Navy Seals and their families and grant mercy and comfort for the families. We ask for guidance in our State and in our Nation's deliberations and the laws that would govern us."

Retired Major Ingram led all Legislators and those in attendance in the Pledge of Allegiance.

Chair Sauerbrey spoke. "On a side note, Major Ingram is working on a very special project for Tioga County to designate a piece of our State highway as a Gold Star Families highway. So, we will be seeing that in the future we hope and we hope that the State will support us on that."

There were six people in attendance.

Chair Sauerbrey noted the following proclamations on National Healthy Lung Month and Adoption Awareness Month.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Lung disease is one of the most prevalent, deadly, and costly chronic diseases; and

WHEREAS: Chronic lower respiratory disease is one of the top five leading causes of death and lung cancer is the leading cause of cancer deaths in Tioga County; and

WHEREAS: 17% of the adults in Tioga County smoke cigarettes and smoking is the leading cause of lung disease; and

WHEREAS: The second leading cause of lung cancer is exposure to radon; and

WHEREAS: Everyone should be aware of common lung damaging agents, including: smoking, radon, fragrances, small particles and several chemicals; and

WHEREAS: Tioga County Public Health supports all measures designed to advance and protect the health of its citizens; now therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of November 2019 as:

NATIONAL HEALTHY LUNG MONTH

and urges all residents to take steps to protect their lungs including, quitting smoking, getting their homes tested for radon, and educating themselves, their families, and the community about the importance of lung health.

County of Tioga EXECUTIVE PROCLAMATION

WHEREAS: This November marks the 29th annual National Adoption Month. November 23, 2019 is National Adoption Day. Our task is to find permanent homes for all our children. Tioga County has finalized one adoption this year so far and has two pending for the remainder of 2019. Every child in America and Tioga County deserves a permanent, loving forever family and home; and

WHEREAS: Tioga County adoptive families serve as a source of love, identity, self-esteem and support for children freed for adoption in Tioga County; and

WHEREAS: Tioga County adoptive families provide a safe and stable home and a nurturing environment where children freed for adoption have the opportunity to live full and productive lives; and

WHEREAS: Accepting responsibility for the care of these children has proven to be very rewarding for many adoptive parents; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children freed for adoption, and the enduring and valuable contribution of adoptive families; and

WHEREAS: It is appropriate to recognize all those in Tioga County who work together on the behalf of children freed for adoption; the adoptive families and the professional staff dedicated to ensuring these children become members of a stable and loving family; now therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim November 2019 as:

ADOPTION AWARENESS MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize adoptive families in Tioga County.

There was no one for privilege of the floor.

Legislator Mullen made a motion to approve the minutes of October 15, 2019, seconded by Legislator Hollenbeck and carried.

Chair Sauerbrey stated there are no petitions, communications, notices, appointments or re-appointments.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 287-19 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standinger.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 288-19 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2019 to September 30, 2019 be and it hereby is accepted; therefore be it further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 28,633.94
Berkshire (Town)	6,847.63
Candor (Town)	19,420.26
Candor (Village)	1,394.19
Newark Valley (Town)	11,696.15
Newark Valley (Village)	3,762.44
Nichols (Town)	8,808.09
Nichols (Village)	1,146.20
Owego (Town)	116,904.55
Owego (Village)	14,477.95
Richford (Town)	7,030.61
Spencer (Town)	10,966.05
Spencer (Village)	7,727.29
Tioga (Town)	14,911.72
Waverly (Village)	16,783.99
	<hr/>
	\$270,511.06

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 289-19 *RESOLUTION TO SUPPORT CORNELL COOPERATIVE
EXTENSION ASSOCIATIONS IN THE STATE OF
NEW YORK*

WHEREAS: The mission of Cornell Cooperative Extension is “CCE puts knowledge to work in pursuit of economic vitality, ecological sustainability and social well-being. We bring local experience and research based solutions together, helping New York State families and communities thrive in our rapidly changing world”; and

WHEREAS: NYS County Law 224 adopted in 1914 established the ability for NYS and County’s to contribute funds to support the creation of Cornell Cooperative Extension Associations in each county and there are now 56 associations across NYS; and

WHEREAS: The key objectives of the associations as stated in their constitutions are:

- To provide for an association of residents in cooperation with Cornell University and USDA.
- To extend educational resources of Cornell (including Ag and Life Sciences, Human Ecology, Vet Med), land grant system, and other educational institutions to foster economic, social, and environmental improvement of individuals families, and communities.
- To further the objectives of CCE associations and the CCE system in the fields of agriculture, community and economic vitality, environment and energy, nutrition and healthy families, and youth development; and

WHEREAS: Cornell Cooperative Extension Associations provide research and experienced based information and programs that are aligned with the primary mission areas of the National Institute of Food and Agriculture and the programs are tailored to meet the needs of local communities in order:

- To strengthen and support gardening, agriculture, and our local FOOD system.
- To improve individual and community nutrition, HEALTH and overall well-being in a healthy environment.
- To provide YOUTH with opportunities to have fun and learn valuable life skills from caring adults; and

WHEREAS: CCE programs are directly linked to a list of 8 of 16 goals of Governor Cuomo's initiatives for improving NYS, and CCE educators are key community partners in helping to implement these initiatives state-wide, including maximizing agriculture and beverage production, strengthening the upstate economy, promoting a healthier NY, fighting poverty, preserving our environment, building opportunity through education, designing a clean energy economy, and investing in tourism; and

WHEREAS: CCE associations are invaluable partners at the County level and NYS expects CCE educators to assist in supporting state initiatives; and

WHEREAS: Costs for operating CCE Associations (501C3 subordinate organizations) have increased significantly yet the annual funding allocated by the state for this system has remained stagnant for more than 20 years; therefore be it

RESOLVED: That the Legislature of Tioga County, requests that NYS allocate an additional \$4 million dollars per year to County Law 224A funding to a total of \$8 million to support Cooperative Extension Associations in NYS.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standingier.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 290-19 *AUTHORIZING LEGISLATIVE CHAIR SIGNATURE ON
LSE PEGASUS ENERGY LLC PAYMENT IN LIEU OF
TAX AGREEMENT*

WHEREAS: LSE Pegasus Energy, LLC has submitted a Notice of Intent to the Town of Tioga that it plans to build and operate a "Solar Energy System" with an expected total capacity of approximately 4.99 Megawatts AC; and

WHEREAS: The project location is 1467 Halsey Valley Road, Town of Tioga, County of Tioga, State of New York; and

WHEREAS: The Taxing Jurisdiction is defined as the Town of Tioga, the Spencer-Van Etten Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has not opted out of Real Property Tax Law (RPTL) Section 487; and

WHEREAS: The Taxing Jurisdiction has indicated its intent to require a Payment in Lieu of Taxes (PILOT) Agreement with LSE Pegasus Energy, LLC; and

WHEREAS: Pursuant to RPTL 487, the Taxing Jurisdiction has agreed to place the project as exempt upon the assessment rolls of the Taxing Jurisdiction; and

WHEREAS: LSE Pegasus Energy, LLC has agreed to make annual lump sum payments to the Taxing Jurisdiction in lieu of real property taxes for a period of fifteen (15) consecutive fiscal tax years; and

WHEREAS: Such fifteen (15) year term shall commence on the first taxable status date selected by LSE Pegasus Energy, LLC following the commencement of the construction of the project, and shall end by the fifteenth fiscal year following; and

WHEREAS: The first annual payment shall be in the aggregate amount of \$3,500 per built out Megawatt AC of capacity, and thereafter annual payments shall escalate by one and one half (1.5 %) percent per year; and

WHEREAS: The annual payments for the Taxing Jurisdiction shall be made payable to the Town of Tioga and mailed to the Town of Tioga and are due no later than January 15th of each year; and

WHEREAS: The Town of Tioga shall be responsible for distributing the annual payments to the Spencer-Van Etten Central School District and the County of Tioga; and

WHEREAS: The Taxing Jurisdiction has agreed that the said payments shall be disbursed to the Town of Tioga in the amount of thirty percent (30%) of the lump sum payment; County of Tioga in the amount of thirty-three percent (33%) of the lump sum payment, and Spencer-Van Etten Central School District in in the amount of thirty-seven percent (37%) of the lump sum payment; therefore be it

RESOLVED: That the Tioga County Legislature agrees to authorize the Legislative Chair to sign the Payment in Lieu of Tax Agreement between LSE Pegasus Energy, LLC, Town of Tioga, Spencer-Van Etten Central School District and Tioga County.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standingier.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standingier.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 291-19 *AUTHORIZE AGREEMENT WITH MOTOROLA SOLUTIONS FOR A P25 PHASE 1 DIGITAL SIMULCAST TRUNKED RADIO SYSTEM FOR THE PERIOD 2019-2024 EMERGENCY SERVICES*

WHEREAS: The Director of Emergency Services requests authorization for an agreement with Motorola Solutions for a P25 Phase 1 Digital Simulcast Trunked Radio System and other emergency services solutions for the Office of Emergency Services at an amount not to exceed \$9,620,000 for the period December 20, 2019 through December 20, 2024; and

WHEREAS: Said services are necessary for the emergency communications systems upgrade project; therefore, be it

RESOLVED: That the County Legislature hereby authorizes an agreement with Motorola Solutions, 500 West Monroe Street, 44th Floor, Chicago, IL 60661 for a P25 Phase 1 Digital Simulcast Trunked Radio System for the Office of Emergency Services for a period December 20, 2019 through December 20, 2024; and be it further

RESOLVED: That the County will utilize available grant funding as the initial payment under the terms and conditions of the contract and will continue to seek

and use grant funding for the project at which time the County may bond or lease for the balance of the project cost. In the event that the anticipated grant funding for this project is not received by the County or the remaining funds are not locally appropriated, the contract may be terminated without further obligation and any balance applied toward other equipment at the County's option; and be it further

RESOLVED: That the Chairwoman of the Legislature is authorized to execute any such agreements, documents, or papers, approved as to form by the County Attorney, as may be necessary to implement the intent and purpose of this resolution.

Legislator Standinger spoke. "This is an awful lot of money and I can understand being concerned about it because I am, but the problem is that we have been running that radio on a wing and a prayer and we have to step up and take care of it because Public Safety is a very important thing. If you call 911, you want someone to get there and if no one gets there because the system is not working then what good is it. Sometimes you have to spend money that you do not want to spend."

Legislator Mullen spoke. "As Chair of Public Safety, I wanted to add a few things. First, I want to thank Chair Sauerbrey personally for her hard work and support on this. I want to thank Motorola for their hard work in working with the County. I want to thank Mike Simmons, Director of Emergency Services, for this almost two-year process. I want to thank Rita Hollenbeck, Budget Officer, for also helping to figure out the fiscal ramifications of this.

I can sum this up in a nutshell. On my way in today for our first snowstorm of the year, I came along a vehicle that is up against the guiderails on Route 17/Interstate 86 at the Nichols-Barton line, which this area is known as Twin Bridges. I made many stops out in this area as a Trooper in this County for 17 years. There was a young guy out there trying to change his tire on an ice-slicked road, so I stopped and offered assistance with calling for a tow truck. I got on my cell phone and called the seven-digit line to talk to the Sheriff's Department directly to keep the 911 lines open and the system could not support the call. I could not get through to our Sheriff's Department and dispatch to get a motorist in this County help this morning. Only because of my knowledge and my years working here in the County, I called Huckle's Tow Service directly and they dispatched road service out to help the young man. That is what this is in a nutshell. That is why

people do pay taxes; pick up a phone or key a radio as a first responder you are getting the help you asked for. We cannot do what we are sworn to do as our duty for the people if we cannot communicate with them. I echo Legislator Standinger's remarks and I thank everyone who chooses to support this because this is good government. This is supporting every individual who lives in this County, visits this County, or passes through this County. Thank you Chair Sauerbrey and all of you for your support. It has been a long road, but I think we are there."

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standinger.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 292-19 *AUTHORIZATION TO IMPOSE AN ADDITIONAL
SURCHARGE ON WIRELESS COMMUNICATIONS
SERVICE WITHIN TIOGA COUNTY
EMERGENCY SERVICES*

WHEREAS: Tioga County currently imposes surcharges on wireless communications and landline services pursuant to Tax Law §186-g and County Law §303; and

WHEREAS: Tioga County requests authorization from the New York State Legislature to impose additional surcharges to wireless communication services above the fees authorized by Tax Law §186-g; and

WHEREAS: These additional surcharges have been requested by the Director of the Office of Emergency Services and shall be used to fund the County's Public Safety Radio Capital project; therefore be it

RESOLVED: That the Tioga County Legislature requests that the New York State Legislature authorize Tioga County to impose an additional wireless communications surcharge in addition to the surcharge imposed pursuant to Tax

Law §186-g (b) in the amount of \$1.00 per month on all wireless communications services and prepaid wireless communications services and \$1.00 per retail sale of prepaid wireless communications service sold within the County of Tioga pursuant to Tax Law §186-g (c); and be it further

RESOLVED: That said additional surcharges shall expire ten years after the effective date of the State Legislation; and be it further

RESOLVED: That a certified copy of this resolution be forwarded to Senator Fred Akshar and Assemblyman Christopher Friend.

Legislator Mullen spoke. "We are asking for a lot less than even Broome County is asking. We are asking for \$1.00 per cell phone in Tioga County to help pay for this communications upgrade. I think that is reasonable."

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 293-19 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Preventative Maintenance Program (2020), PIN 9754.30 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVE: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$10,000 is hereby appropriated from account D5110.540050 and made available to cover the costs of participation in the above phase of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: This Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 294-19 *AUTHORIZE ACCEPTANCE OF
YEAR TWO FUNDING FROM THE NYS OFFICE
OF INDIGENT LEGAL SERVICES*

WHEREAS: By Resolution No. 257-18 adopted on November 13, 2018 Tioga County entered into a five year agreement with the New York State Office of Indigent Legal Services for distribution of funds to provide representation to persons legally entitled to counsel but unable to hire an attorney; and

WHEREAS: The allocated amount to Tioga County from NYS Office of Indigent Legal Services for the fiscal year 2019 is \$308,468; and

WHEREAS: It is necessary for Tioga County to adopt the second year funding budget for said distribution in said amount of \$308,468; now therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the year two budget of said distribution in the amount of \$308,468.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 295-19 TRANSFER OWNERSHIP OF A TRUST ACCOUNT FOR
TIOGA COUNTY SUICIDE PREVENTION
COMMUNITY COALITION MENTAL HYGIENE

WHEREAS: Tioga County Suicide Prevention Community Coalition was established in 2014 through a New York State grant; and

WHEREAS: The Coalition has been established as a Trust Account in 2019; and

WHEREAS: Tioga County Mental Hygiene would like to transfer ownership of the Trust Account to A New Hope Center located in Owego, NY; and

WHEREAS: Transferring ownership requires legislative approval; therefore be it

RESOLVED: That final disbursement in the amount of \$5,686.25 to A New Hope Center will close out the Suicide Coalition Trust account TA 208501 that was established in 2019.

Legislator Standinger spoke. "I am a member of this Suicide Prevention Coalition and I view that as a very serious problem that we have and the only reason this is being done is to accept grants for certain things. A New Hope Center has agreed to be the pass through for that money in the event we get it. That is the only reason for this resolution.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standinger.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 296-19 *AMEND RESOLUTION 295-05 AS AMENDED BY
RESOLUTION 345-08 POLICY/CONTRACT FOR LIFE
INSURANCE COVERAGE*

WHEREAS: Resolution 345-08 authorized the use of Security Mutual Life Insurance Company of New York to provide group life insurance coverage to those employees in the Sheriff's Department eligible for the benefit until such time as a different company was selected; and

WHEREAS: Tioga County has received notice that Security Mutual Life Insurance Company of New York has been transitioned to Renaissance Life & Health Insurance Company of America and its sister company Renaissance Life & Health Insurance Company of New York (Renaissance); and

WHEREAS: Renaissance can offer replacement group insurance coverage to match existing level of benefits with the same administrative support at the current premium rates through November 30, 2020; and

WHEREAS: This group life insurance needs to be maintained to prevent a lapse in coverage; therefore be it

RESOLVED: The Tioga County Legislature authorizes the Chair of the Legislature, subject to review by the County Attorney, to sign the required paperwork for this transition; and be it further

RESOLVED: That this Renaissance group life insurance will renew annually until such time that a different company is selected.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 297-19 *AUTHORIZE PURCHASE OF EMPLOYERS' LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's employers' liability insurance policy will expire December 31, 2019; and

WHEREAS: The continuance of an employers' liability insurance policy helps to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of employers' liability insurance, subject to review by the County Attorney, for the period of January 1, 2020 through December 31, 2020 to be paid for out of the 2020 Tioga County Self-Insurance Plan budget.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standingier.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standingier.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 298-19 *AWARD 2019 EMERGENCY MANAGEMENT PLANNING GRANT (EMPG19) EMERGENCY SERVICES*

WHEREAS: The Tioga County Office of Emergency Services has been awarded a matching grant of \$23,669 by the New York State Division of Homeland Security and Emergency Services (NYS DHSES); and

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 300-19

*MODIFY 2019 BUDGET AND TRANSFER FUNDS
STATEWIDE INTEROPERABLE COMMUNICATIONS
GRANT 2017
OFFICE OF EMERGENCY SERVICES*

WHEREAS: Resolution # 92-18 awarded the Office of Emergency Services a 2017 Statewide Interoperable Communications Grant in the amount of \$453,399.00; and

WHEREAS: The grant budget has been amended; therefore be it

RESOLVED: That the 2019 budget be modified and transfer of funds be made as below:

FROM: A3415.540140 IO17 Contracting Services \$79,440.84

TO: A3415.520230 IO17 Radio & Equipment \$79,440.84

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 301-19 AMEND BUDGET & APPROPRIATE FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded funding from New York State; and

WHEREAS: The award is designated for Community Cancer Prevention in Action, which is a partnership between Broome and Tioga Counties; and

WHEREAS: Cancer Prevention is an area of focus for Public Health; and

WHEREAS: The funding will pass through Broome County to Tioga County Public Health; and

WHEREAS: Amending of Budget and Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4053 422800 Public Health: Local Grants	\$22,250
To: A4053 540640 Public Health: Supplies	\$22,250

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standinger.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 302-19 *APPROPRIATION OF FUNDS &
AMEND 2019 BUDGET
SOCIAL SERVICES*

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Children and Family Services for Non-Residential Domestic Violence Services; and

WHEREAS: A New Hope Center is the approved Non-Residential Domestic Violence Program in Tioga County; and

WHEREAS: Appropriation of Funds and budget amendment requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration \$ 34,623

To: A6010.540140 Contracting Services \$ 34,623

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standinger.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Balliet.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 303-19 *AMEND EMPLOYEE HANDBOOK:
NON-UNION BENEFITS*

WHEREAS: The Non-Union Benefits Policy Section 2A provides for payment of unused vacation as well as a pro-rated portion of accrued vacation upon separation; and

WHEREAS: The Non-Union Vacation Policy grants vacation time to new hires with qualifying prior work experience; and

WHEREAS: The Non-Union Benefits Policy Section 9 provides for 50% reimbursement of tuition for job related courses; and

WHEREAS: Neither the Non-Union Vacation Policy nor the Non-Union Benefits Policy stipulates that employment shall continue for a certain duration in order to be eligible for payment of vacation time granted due to prior relevant experience; and

WHEREAS: The Non-Union Benefits Policy does not stipulate eligibility criteria for Tuition Reimbursement; and

WHEREAS: There is a desire to establish the requirement that a Non-Union employee granted vacation time based on prior relevant experience must work a minimum of 12 months in order to be eligible for payment upon separation for a pro-rated portion of their accrued vacation; and

WHEREAS: There is a desire to require that Non-Union employees have passed their probationary period before eligible for Tuition Reimbursement; therefore be it

RESOLVED: That Section 2A of the Non-Union Benefits Policy, fourth bullet, be amended to read as follows:

“Any unused vacation time plus a portion of the coming year’s accrual shall be paid for upon separation from the County. Employees granted vacation upon hire based upon qualifying prior work experience must work a minimum of twelve (12) months for Tioga County in order to be eligible for payment of the pro-rated portion of the coming year’s vacation accrual.”

and be it further

RESOLVED: That Section 9 of the Non-Union Benefits Policy be changed to read:

“Full-time employees who have passed their probationary period are eligible for reimbursement of 50% of tuition costs of job-related courses if prior approval is received from the appointing authority and the Personnel Office and the course is successfully completed. Request forms are

available from the Personnel Office. In order to receive reimbursement, a copy of the tuition receipt and the grade report for the school must be submitted. Reimbursement shall be limited to 8 credit hours per calendar year."

"Upon request for tuition reimbursement/course approval, the employee shall enter into a contract with Tioga County which requires continued employment with Tioga County for at least one year following receipt of the reimbursement. The contract shall provide that in the event the employee separates employment for any reason with Tioga County within one year of receipt of the reimbursement, then Tioga County is entitled to be reimbursed for the entire amount of the tuition paid on behalf of the employee during the previous year, and that sum shall be deducted from the employee's last paycheck. No refund is due to the County if an employee is laid off within one year of receiving tuition reimbursement."

and be it further

RESOLVED: That the remainder of the Non-Union Benefits Policy is unchanged.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 304-19

*AUTHORIZE APPOINTMENT OF
CONFIDENTIAL ASSISTANT
PUBLIC HEALTH DEPARTMENT*

Appointed Officials

Five day work week, seven hour day: Director of Veteran's Service Agency

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standinger.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolution considered, seconded by Legislator Mullen and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 309-19 *AUTHORIZE TIOGA COUNTY TO OPT OUT OF
NEGOTIATION CLASS IN NATIONAL
PRESCRIPTION OPIATE LITIGATION*

WHEREAS: There is pending litigation concerning the Opiate crisis in various Courts throughout the Nation; and

WHEREAS: Tioga County has joined other New York State Municipalities in pursuing coordinated Opiate litigation in New York State Courts; and

WHEREAS: Judge Polster of the United States District Court, Northern District of Ohio has preliminarily approved a request to certify a negotiating class in the Multidistrict Litigation setting forth a framework to assist the Court and the parties to achieve a national resolution of the National opioid litigation; and

WHEREAS: The coordinated litigation in Suffolk County, New York will be the next county case to be tried and Tioga County is already in a unique situation to negotiate as a member of that group; and

WHEREAS: To opt out of the Federal Negotiating class, an Exclusion Request Form needs to be signed on behalf of Tioga County and submitted to counsel prior to November 22, 2019; therefore be it

RESOLVED: That the Chairwoman of the Legislature is authorized to execute an Exclusion Request Form to opt out of the Negotiation Class.

ROLL CALL VOTE

Yes – Legislators Weston, Balliet, Hollenbeck, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

Meeting adjourned at 12:17 p.m.

Seventh Special Meeting
November 21, 2019

The Seventh Special Meeting of 2019 was called to order by the Chair at 10:02 A.M. Seven Legislative members were present with Legislators Monell and Sullivan being absent.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Dear Lord, please help us get through these troubled times. Please make it for the small children and the underprivileged to have a chance to participate in the United States the way it should be. Thank you very much."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were seven people in attendance.

Sheriff Gary Howard spoke. "As you may or may not be aware, Arrah Richards ran unopposed for the Town of Barton Clerk and will be taking office as of January 1, 2020. I am asking for a temporary position to start on December 2, 2019 until she leaves. The issue is last week she put in for ten days of vacation, so she will actually be leaving our office on December 20, 2019 and returning on December 30, 2019 for a half a day or so. There is a list. I have been working with Linn and Bethany in Personnel and some people in the County have asked for transfers. I am doing interviews. This is a payroll position with approximately 115-120 employees and can be complicated with the three different unions, plus the non-union staff. All of this payroll is in Munis and this payroll process can get complicated. Arrah has been with our Department for nine years."

Chair Sauerbrey spoke. "This is a little bit of overlap, but it is needed for training."

Legislator Weston spoke. "I think we are losing a very, very good person who has spent a lot of time and has done a lot for the County. I am glad to see that she is going to still be in the County."

Legislator Mullen spoke. "She is going to do a lot of good for the Town of Barton."

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 310-19 *AUTHORIZE TO CREATE AND FILL ONE
(1), TEMPORARY, FULL-TIME
ACCOUNTING ASSOCIATE III POSITION
SHERIFF'S OFFICE*

WHEREAS: Legislative approval is required to authorize the creation of positions within Tioga County; and

WHEREAS: Due to the announced resignation of Arrah Richards, Payroll Clerk-Typist, at the Sheriff's Office, the Sheriff would like to create and fill a temporary, full-time position to allow for training a replacement; and

WHEREAS: The Sheriff has consulted with the Personnel Officer as to the appropriate classification to which to fill said temporary position; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Sheriff to create and fill one (1), temporary, full-time Accounting Associate III (CSEA salary grade VII) position at a rate in accordance with Article 4, Section D if a current County employee is selected or at the hourly rate of \$16.71 if a non-County employee is selected; and be it further

RESOLVED: That said temporary position will be created effective December 2, 2019 and shall end at the close of business on December 31, 2019.

ROLL CALL VOTE

Yes – Legislators Weston, Mullen, Hollenbeck, Sauerbrey, Balliet, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:09 A.M.

Twelfth Regular Meeting
December 10, 2019

The Twelfth Regular Meeting of 2019 was called to order by the Chair at 6:00 P.M. Eight Legislative members were present with Legislator Mullen being absent.

Chair Sauerbrey asked Legislator Balliet to have a moment of prayer. "Dear Heavenly Father, we thank you for your support and guidance during this past year. We ask that you will continue to give your love and strength to the residents of Tioga County and especially to this Legislature as we face a challenging year ahead."

Legislator Balliet led all Legislators and those in attendance in the Pledge of Allegiance.

There were 41 people in attendance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

Chair Sauerbrey read and presented the following recognition resolution to Ralph E. Kelsey of the Tioga County Industrial Development Agency.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

Chair Sauerbrey spoke. "Before I read the proclamation, I want to say that I have worked with Ralph for a long time and I have been on the Tioga County IDA Board several times off and on and it has been a pleasure working with you.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 311-19 *RESOLUTION RECOGNIZING
RALPH E. KELSEY'S
TWENTY-TWO YEARS OF DEDICATED
SERVICE TO TIOGA COUNTY*

WHEREAS: Ralph E. Kelsey was appointed to the position of Board Member of the Tioga County Industrial Development Agency on 12/8/97; and

WHEREAS: Over his twenty-two years of service, Ralph E. Kelsey worked on the Governance, Audit, Finance and Loan Committees of the Tioga County Industrial Development Agency; and

WHEREAS: Ralph E. Kelsey served as Treasurer and Vice-Chair until January of 2014 when he was appointed Chair of the Tioga County Industrial Development Agency until his resignation on 12/31/19; and

WHEREAS: Ralph E. Kelsey has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past twenty-two years, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Ralph E. Kelsey will resign from the Tioga County Industrial Development Agency on December 31, 2019; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Ralph E. Kelsey for his twenty-two years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding volunteer, Ralph E. Kelsey.

ROLL CALL VOTE

Unanimously Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen

RESOLUTION ADOPTED UNANIMOUSLY.

Ralph E. Kelsey spoke. “I use to be able to speak for three or four minutes without having to write it down, but I am beginning to forget what I don’t remember.

“I just want to thank the Legislature for this recognition. When LeeAnn said to me that the County Legislature would like to pass a resolution recognizing my service, my first thought was no, I do not need that recognition. Matter of fact, it is foolish enough to tell you or confess to all of you that I enjoyed my time, rather liked it. Then I thought, I do want to go and I want to go because I want to thank the Legislature for the support and encouragement of the IDA over the last two plus decades. I want to go and thank them for their funding, support, and support of the Economic Development & Planning Department, which has worked hand-in-hand with the IDA. I want to tell all of you just how much your trust has been appreciated and how it has helped the IDA to make the County a better place for those of us who live and raise our families here.

“The last several years have been pretty smooth with the IDA. Even though in the past, I have been referred to in a letter of the editor of one of the local newspapers as Boss Tweed. Recently, it has been much smoother.

“Again, through your support and encouragement, we paved the way for LeeAnn Tinney to become the Executive of the IDA back in those days and now the Director of the Economic Development & Planning Department.

“Ron Dougherty would always say and he still does, ‘I just have two things I want to say’. First, I want to say, that it was he, Ron Dougherty, that after years of pounding into me, said Ralph, ‘the future is private/public partnerships’. Those who know me, know that I am so far right that I can stand with the left. Anyway, unless you align yourself with and use the government monies nothing will change.

“The Team Tioga that LeeAnn has put together to tackle not only the laws and regulations of New York State, but to catch, harness, and implement the economic opportunities that have been uncovered and recognized is all commendable. Remember one thing; luck is where opportunity and preparation meet.

“The second thing I want to say is, thanks for continuing to support the one-stop shop. Again Ron Dougherty and Leon Thomas, former Legislator who loved this County, both beat into our heads 20 some years ago that the one-stop shop was the way to go and in a small county such as Tioga that has limited resources, such as we do, it was monumental to tear down the silos, as Ron would say. To encourage the various County Departments to work together so that things might happen not only in a more efficient way, but also in a much quicker way.

“I have strived to contribute towards the well-being of the residents of Tioga County and to carry your, the Legislator’s, objectives. I hope I succeeded in those efforts.

“In the meantime, as I wrote to the IDA Board in my resignation letter, I encourage all of you, regardless of how mundane and challenging what you do may be, to continue on and carry out the mission and do not forget how important what you do is for the betterment of Tioga County. Thank you all.”

Chair Sauerbrey stated we have two Proclamations, Candor Girls Volleyball Team that Legislator Standinger will read and present and National Influenza Vaccination Week that will be noted in the minutes.

Legislator Standinger spoke. “Well, I will tell you that it is refreshing to see the blue and white since I graduated there in 1976 and my daughters all graduated from Candor. It is an honor to read this proclamation. The girls did a bang up job and State Championships do not come easy. It takes a lot of hard work and I know your coaches spent a lot of time with you and the team has spent a lot of time practicing. Congratulations ladies. I am very proud of you.”

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: The Tioga County Legislature would like to congratulate and applaud the Candor Indians Varsity Girls Volleyball Team on their undefeated season and winning the New York State Public High School Athletic Association (NYSPHSSA) Class D Volleyball Championship on Sunday, November 24, 2019 against Panama; and

WHEREAS: This championship victory gives Candor its third girls volleyball State title overall and first since winning back-to-back titles in 2002-2003; and

WHEREAS: The 2019 Candor Indians Varsity Girls Volleyball Team members are: Kadrianna Foster, Addison Aman, Arianna Aman, Asia Curkendall, Kori Strong, Brooke Wilcox, Selah Ray, Teagan Bartlow, Shelby Swartz, Jennah Kareem, Braelyn Hornick, Isabel Makie, Brayden Watkins, Megan Henry, and Kailyn Edwards under the leadership of Head Coach Pam Quinlan and Assistant Coaches Michael Swartz and Brittney Noble; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby recognize and commend the Candor Indians Varsity Girls Volleyball Team on their third achievement as NYS Champions.

**County of Tioga
EXECUTIVE PROCLAMATION**

WHEREAS: Flu is a contagious viral respiratory infection of the nose, throat, and lungs that can infect people of all ages and health statuses; and

WHEREAS: Annually, 9 to 45 million US citizens become ill with the flu, and 12 to 61 thousand die from it; and

WHEREAS: During the 2018-2019 flu season over 490 Tioga County residents were infected with the flu, and this year there are confirmed cases; and

WHEREAS: It is crucial that people with weakened immune systems or an inability to get the flu vaccine avoid getting the flu; and

WHEREAS: The most effective way to prevent flu illness is to get the flu vaccine; and

WHEREAS: Flu vaccines are tested, proven safe, and are recommended for people over 6 months old, including pregnant women; and

WHEREAS: Tioga County Public Health reminds the community that receiving the flu vaccine now is still beneficial as flu season continues for up to 5 more months; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of December 1 - December 7, 2019 as:

NATIONAL INFLUENZA VACCINATION WEEK

and encourages everyone to receive the flu vaccine, recommend the vaccine to their friends and family, and to be knowledgeable regarding the flu and immunizations to aid in dispelling myths and providing correct education.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of November 12th and 21st, 2019, seconded by Legislator Standing and carried.

Chair Sauerbrey stated all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 312-19 *FIX TIME OF ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 A.M., Thursday, January 2, 2020.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standing.

RESOLUTION NO. 313-19 *RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA CO. PROBATION DEPT. & THE FAMILY AND CHILDREN'S SOCIETY TO PROVIDE ADULT & JUVENILE SEXUAL OFFENDER ASSESSMENT AND TREATMENT SERVICES*

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2019; and

WHEREAS: The Family and Children's Society contract with Tioga County Probation provides for a total of 21 sexual offender slots as follows: 15 adult assessment and treatment slots; 10 adult safety monitor education slots; 6 juvenile offender assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; now therefore be it

RESOLVED: That the Probation Director is approved to contract in 2020 with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment, and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually, upon approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 314-19 *RESOLUTION TO APPROVE A
CONTRACT BETWEEN THE
TIOGA COUNTY PROBATION DEPT. AND CAYUGA
COUNSELING SERVICE, INC.*

WHEREAS: Raise the Age mandates and changes made to 9 NYCRR 356 and 9 NYCRR 359 require Probation Departments to offer a variety of Alternative to Detention and Pre-Dispositional Supervision programming for both Juvenile Delinquents and Raise the Age Youth based on their risk level. The services provided must be proven evidence based services or promising evidence based services; and

WHEREAS: Tioga County Probation would like to continue to contract with Cayuga Counseling Service, Inc. to provide promising evidence based services to Probation involved youth. This program will provide both alternative to detention programming and Pre-dispositional Supervision programming for youth in Youth Part Court, Family Court or Intake and Diversion Services at Probation; and

WHEREAS: The Tioga County Attorney is reviewing a contract with Cayuga Counseling Service, Inc. to provide 8 slots of juvenile special supervision to reduce the County's need for expensive specialized secure detention, secure and non-secure detention and the newly mandated Pre-dispositional supervision; and

WHEREAS: The cost of the contract is \$72,509.81 for twelve months. The County received RTA funding for this program for 2019 and the Probation Department will list the program in the next application for Raise the Age funding when it is available. The program will be listed in a new Probation budget line for Contracted Services A3140.540140; therefore be it

RESOLVED: That the Tioga County Probation Director is approved to contract with Cayuga Counseling Service, Inc. to provide Alternative to Detention and Pre-Dispositional Supervision programming for both Juvenile Delinquents and Raise the Age Youth, if the contract is approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 315-19 *AUTHORIZE CONTRACT BETWEEN
TWIN TIER PATHOLOGY ASSOCIATES, PC
AND TIOGA COUNTY*

WHEREAS: Beginning January 1, 2020 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$900.00 to be paid to Pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/20 through 12/31/20.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 316-19 *AUTHORIZATION TO EXTEND
CONTRACT WITH LEXIS NEXIS FOR SUBSCRIPTION
TO LEXIS ADVANCE
FOR ONE YEAR*

WHEREAS: The current three year contract with Lexis Nexis for the County wide subscription to Lexis Advance will expire on December 31, 2019; and

WHEREAS: Lexis Nexis has agreed to extend service to the County for one year at the current monthly cost of \$1092.80; and

WHEREAS: The County is desirous of extending access to their legal research service for one year at the current monthly cost of \$1092.80; now therefore be it

RESOLVED: That the Chair of the Legislature is authorized to execute a one-year extension of the contract for the subscription to Lexis Advance at the current monthly cost of \$1092.80.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

RESOLUTION NO. 317-19 *RENEW CONTRACT
PARTNERS IN SAFETY, INC.
(CDL DRUG & ALCOHOL TESTING)*

WHEREAS: Federal Law requires random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: The Safety Department has coordinated with several of the Towns and Villages within Tioga County to have this testing done by an outside agency since 1995; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature, pending approval by the County Attorney, to renew the contract with Partners in Safety, Inc. for random drug and alcohol testing in accordance with Federal regulations at the following rates indicated:

Complete DOT Random Testing Program \$35.00 per Employee per Year

To Include:

- Random Selection of Employees (25% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- Blind Specimen Submissions
- MIS Reports
- Supervisor Training for Reasonable Cause
- Collection Site Management

ADDITIONAL CHARGES: For pre-employment, post-accident, reasonable cause or follow-up tests performed during business hours:

Drug Test (at lab or office of Partners in Safety):	\$48.00 per test
Drug Test (at Walk-In Medical Facilities, Hospitals, etc.):	\$75.00 per test
Breath Alcohol Test:	\$40.00 per test
DOT/19A Physicals (at the office of Partners in Safety):	\$55.00 per person
Emergency Service	\$150 per hour Minimum 2 hours plus the cost of the test

Split Specimen Testing (re-test of positive specimen by other SAMHSA certified lab, including shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification): \$250.00

On-site 19A/DOT physicals available upon request (minimum volume required).

Additional services are billed monthly. Payment is due prior to the 30th of the month following the month in which services were provided.

and be it further

RESOLVED: That this contract shall be effective January 1, 2020 through December 31, 2020.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 318-19 *APPROVE EARLY VOTING AID TO LOCALITIES GRANT TO REIMBURSE TIOGA COUNTY FOR EARLY VOTING EXPENSES*

WHEREAS: As part of the State Fiscal Year (SFY) 2019/20 budget, Governor Cuomo signed into law Chapter 53 of the Laws of 2019 on April 12, 2019; and

WHEREAS: Such law implemented the Early Voting Aid to Localities Grant Program to reimburse \$10 million to County Boards for local dollars spent related to the implementation of early voting; and

WHEREAS: Counties are anticipated to receive \$15,000 of such funds per planned early voting site, with the remainder of the funds being distributed to counties based on number of registered voters as of February 1, 2019; and

WHEREAS: The reimbursement program requires each County Board of Elections to provide an aid to localities grant program workplan / budget, which will require a narrative summary, description of expenditures and other metrics; and

WHEREAS: On September 27, 2019, a proposed grant contract from the New York State Board of Elections for \$31,606.42 was received by the Tioga County Board of Elections to be reviewed and signed by the Election Commissioners, Treasurer or other authorized county representative, and notarized; therefore be it

RESOLVED: That the Tioga County Board of Elections is approved to submit the signed paperwork to the NY State Board of Elections in order for Tioga County to be eligible for reimbursement of the aforesaid amount, after the implementation of early voting.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 319-19 *IMPLORING THE STATE OF NEW YORK TO IMMEDIATELY AMEND OR DELAY IMPLEMENTATION OF BAIL AND DISCOVERY REFORM LAWS THAT WILL ENDANGER THE PEOPLE OF NEW YORK AND REVERSE DECADES OF BIPARTISAN PROGRESS IN REDUCING CRIME*

WHEREAS: The Tioga County Legislature recognizes the need for Statewide bail and discovery reform; and

WHEREAS: New York State recently and suddenly enacted sweeping justice reforms including the elimination of cash bail for many crimes and imposes stringent discovery mandates all of which will have undesirable consequences on the government's ability to protect the public; and

WHEREAS: Under bail reform, beginning January 1, 2020, judges will be unable to set bail for many specific enumerated crimes, which means those suspected of committing certain crimes can no longer be held in jail after their arrest and instead will be released back into the general public; and

WHEREAS: These crimes include those that result in the deaths of innocent people, including several subcategories of homicide resulting in those responsible for these deaths being released back into the community of grieving families and various types of crimes against children and the vulnerable releasing the suspects right back into their victims' community; and

WHEREAS: All offenders who are currently being held in custody for non-qualifying crimes will be eligible for release from custody on January 1, 2020; and

WHEREAS: The discovery mandates imposed by the State of New York will require police and District Attorneys, beginning January 1, 2020, to turn over voluminous trial-related materials to defense attorneys within 15 days of arraignment, creating a mandate that will inevitably not be achieved in some cases and may result in the inability of the People to properly prosecute cases against criminal defendants; and

WHEREAS: The Attorney General's Office testified that their own office, which carries a limited criminal caseload, lacks resources required to fully comply with discovery mandates and consequently needs an additional \$10 million in state funding yet similar consideration has not been provided to the local taxpayers throughout the state who must shoulder the costs these justice reform mandates will impose; and

WHEREAS: The issues mentioned will undeniably impact past, present and future victims of crime in a negative manner, and in so doing, the bail and discovery reforms adopted by the State of New York will themselves further victimize these innocent individuals; and

WHEREAS: These bail and discovery laws, in their current form, represent a clear and present danger to society, will tilt the scales of justice in favor of suspected criminals and away from innocent crime victims, and risk reversing decades of bipartisan progress made by the State of New York in reducing crime; therefore be it

RESOLVED: That the Tioga County Legislature hereby implores the State of New York immediately amend or otherwise delay implementation of these laws by convening an emergency session of the State Legislature, or by emergency executive authority, or by any other means deemed possible by the State, and to do so before December 31, 2019; and be it further

RESOLVED: That the following improvements to these laws be implemented as soon as possible:

1. Give judges the discretion to impose bail when appropriate;
2. Increase the discovery timeline from 15 days to a minimum of 45 days;
3. Phase in discovery reform by applying these new mandates only to misdemeanors effective January 1, 2020, and then to felonies effective January 1, 2021, and repeal the provision that makes the new discovery mandates applicable to violations of the Vehicle and Traffic Law;
4. Require that court appearance reminders are sent not only to defendants but also to the victims of their crimes; and

5. Extend appropriate dignity, fairness and respect to crime victims by soliciting input from victim advocate organizations and considering their suggestions for improving these laws; and be it further

RESOLVED: That the Tioga County Legislature asks all counties in New York State to urge their state representatives to take immediate action on the foregoing issues; and be it further

RESOLVED: That copies of this resolution be provided to every member of the New York State Legislature, Attorney General Letitia James, Lieutenant Governor Kathy Hochul, Governor Andrew Cuomo, Congresswoman Elise Stefanik, Senator Kirsten Gillibrand, Senator Charles Schumer, the New York State Association of Counties, the New York State Sheriffs' Association, the New York State Association of Chiefs of Police, the District Attorneys Association of New York, the New York State Defenders Association, the New York State Probation Officers Association, the New York Council of Probation Administrators, the Association of Justices of the Supreme Court of the State of New York, the New York State Association of City Court Judges, the County Judges Association of the State of New York, and the County Attorneys' Association of the State of New York.

Legislator Standinger spoke. "We have had some pretty serious issues here with this Criminal Justice Reform that was ramped through with the budget process without any discussion or input from Upstate. We do not have a problem in the Upstate area in areas such as this, but they took a Downstate solution and applied it to the entire State, which is going to cause a lot of problems. I guarantee it. Until they wise up and stop doing this, we are going to have problems."

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 320-19 *AMENDMENT OF THE BYLAWS OF THE TIOGA COUNTY PROPERTY DEVELOPMENT CORPORATION (TCPDC), A NEW YORK LAND BANK TO ALLOW MEMBER QUALIFICATION TO INCLUDE "UP TO TWO AT LARGE MEMBERS ON THE BOARD OF DIRECTORS AS MUNICIPAL REPRESENTATIVES"*

WHEREAS: Per Resolution No. 265-16, the Tioga County Legislature authorized the application and establishment of the Tioga County Property Development Corporation (TCPDC); and

WHEREAS: Per Resolution No. 15-19, the TCPDC amended their bylaws to increase the number of Board members from seven to nine; and

WHEREAS: Per said resolutions, the TCPDC bylaws provide that any amendments regarding the number, term or qualifications of members of the Board, shall require the approval of the Tioga County Legislature; and therefore be it

RESOLVED: That the Tioga County Property Development Corporation bylaws, Section 2(c) be amended allowing "Each member shall be a public officer of a municipality within Tioga County (or a member of a County Agency) and their membership be conditioned upon holding the public office may also be up to two at large representatives." Per Section 2(d) an "At Large Representative" of the Board of Directors shall be appointed by the Chair of the Legislature and confirmed by a majority vote of the Tioga County Legislature.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 321-19 APPOINT MEMBER TO THE TIOGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Ralph E. Kelsey has resigned from the Tioga County Industrial Development Agency Board of Directors effective December 31, 2019; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Jonathan Ward has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Ralph E. Kelsey for his loyal service to the residents of Tioga County; and be it further

RESOLVED: That the Tioga County Legislature hereby appoints Jonathan Ward to replace Ralph E. Kelsey's position on the Tioga County Industrial Development Agency Board of Directors effective January 1, 2020.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 322-19 REAPPOINT MARTHA C. SAUERBREY TO
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD

WHEREAS: Martha C. Sauerbrey, as Chair of the Tioga County Legislature, was appointed as a Tioga County Property Development Corporation (TCPDC) Board Member conditioned by her holding of that office for which her term expires on 12/31/2019; and

WHEREAS: The TCPDC Bylaws allow for consecutive terms; and

WHEREAS: Martha C. Sauerbrey is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Martha C. Sauerbrey for a second three-year term of 1/1/20 – 12/31/22, effective 1/1/20, to the Tioga County Property Development Corporation

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 323-19 REAPPOINT MICHAEL BARATTA TO
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD

WHEREAS: Michael Baratta, as Mayor of the Village of Owego, was appointed as a Tioga County Property Development Corporation (TCPDC) Board Member

conditioned by his holding of that office for which his term expires on 12/31/2019;
and

WHEREAS: The TCPDC Bylaws allow for consecutive terms; and

WHEREAS: Michael Baratta is willing and able to serve in this position; therefore
be it

RESOLVED: That the Tioga County Legislature hereby reappoints Michael Baratta
for a second two-year term of 1/1/20 – 12/31/21, effective 1/1/20, to the Tioga
County Property Development Corporation Board of Directors as a Board
Member for the designated term.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded
by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 324-19 REAPPOINT PATRICK AYRES TO
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD

WHEREAS: Patrick Ayres, as Mayor of the Village of Waverly, was appointed as a
Tioga County Property Development Corporation Board (TCPDC) Member
conditioned by his holding of that office for which his term expires on 12/31/2019;
and

WHEREAS: The TCPDC Bylaws allow for consecutive terms; and

WHEREAS: Patrick Ayres is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Patrick Ayres for
a second two-year term of 1/1/20 – 12/31/21, effective 1/1/20, to the Tioga
County Property Development Corporation Board of Directors as a Board
Member for the designated term.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 325-19 REAPPOINT GEORGE WILLIAMS TO
TIOGA COUNTY PROPERTY DEVELOPMENT
CORPORATION BOARD

WHEREAS: George Williams, as Trustee of the Town of Candor, was appointed as a Tioga County Property Development Corporation (TCPDC) Board Member conditioned by his holding of that office for which his term expires on 12/31/2019; and

WHEREAS: The TCPDC Bylaws allow for consecutive terms; and

WHEREAS: George Williams is willing and able to serve in this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints George Williams for a second two-year term of 1/1/20 – 12/31/21, effective 1/1/20, to the Tioga County Property Development Corporation Board of Directors as a Board Member for the designated term.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 329-19 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Rawley Filbin's position on the Tioga County Planning Board representing the Village of Waverly expires on 12/31/2019; and

WHEREAS: The Village of Waverly Board of Trustees has nominated Rawley Filbin to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Rawley Filbin to the Tioga County Planning Board for another three-year term of 1/1/20 – 12/31/22.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 330-19 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Tim Pollard's position on the Tioga County Planning Board representing the Town of Berkshire expires on 12/31/2019; and

WHEREAS: The Town of Berkshire Board has nominated Tim Pollard to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Tim Pollard to the Tioga County Planning Board for another three-year term of 1/1/20 – 12/31/22.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 331-19 RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD

WHEREAS: Doug Chrzanowski's position on the Tioga County Planning Board representing the Town of Tioga expires on 12/31/2019; and

WHEREAS: The Town of Tioga Board has nominated Doug Chrzanowski to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Doug Chrzanowski to the Tioga County Planning Board for another three-year term of 1/1/20 – 12/31/22.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 332-19 *RE-APPOINT MEMBER TO THE
TIOGA COUNTY PLANNING BOARD*

WHEREAS: Mike Reynolds' position on the Tioga County Planning Board as an alternate expires on 12/31/2019; and

WHEREAS: Mike Reynolds is willing and able to serve another three-year term as an alternate member to the Board; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Mike Reynolds to the Tioga County Planning Board for another three-year term of 1/1/20 – 12/31/22.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 333-19 *REAPPOINT MEMBER TO THE TIOGA COUNTY
BOARD OF HEALTH*

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for Terry Hills, DVM, on the Board of Health expires 12/31/19; and

WHEREAS: The Board of Health recommends re-appointment and Dr. Hills has agreed to serve for another term; therefore be it

RESOLVED: That Terry Hills, DVM, be re-appointed to the Board of Health for a term of 1/1/20-12/31/25.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 334-19 *ACCEPTANCE OF THE APPLICATION FOR
RYAN TELFER TO BE A TRAINEE MEMBER OF THE
TIOGA COUNTY FIRE INVESTIGATION TEAM*

WHEREAS: The Office of Emergency Services provides high quality Fire Investigation Team support to the Fire Service in Tioga County and adjacent Counties through the NYS Fire Mutual Aid Plan; and

WHEREAS: This service is provided by local, highly trained volunteers; and

WHEREAS: Ryan Telfer, firefighter, is requesting to be a Trainee member of the FIT Team; and

WHEREAS: Ryan Telfer currently possesses training and skills needed by the Tioga County Fire Investigation Team to work on the Team; therefore be it

RESOLVED: That Ryan Telfer be added as a Trainee member to the Tioga County Fire Investigation Team.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 335-19 *AWARD REPAIR OF THE GENERATOR
AT THE HHS BUILDING*

WHEREAS: One generator at the HHS Building located at 1062 State Route 38 has failed; and

WHEREAS: The Commissioner of Public Works received proposals for the repair of this generator unit; and

WHEREAS: The proposals were received as follows:

Independent Field Service, LLC	\$20,309.98
Emergency Power Systems	\$29,377.99

And;

WHEREAS: The Commissioner of Public Works reviewed the proposals and determined that Independent Field Service, LLC proposal is acceptable; therefore be it

RESOLVED: That the Tioga County Legislature award the repair to Independent Field Service LLC, Syracuse, NY not to exceed \$20,309.98 to be paid out of A1621.540140.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 336-19 *ADOPT COUNTY BUDGET FOR 2020,
APPROPRIATIONS AND SALARY SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2020 submitted by the Budget Officer on November 12, 2019 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2020; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2020; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2020.

Legislator Sullivan spoke. "With this budget, we have kept the tax levy increase down to approximately the increase in the Consumer Price Index, as well as within the 2% tax cap limit imposed by the State of New York. But all counties in NYS have been hit with a number of new State mandated costs, including Early Voting, Raise the Age Laws, Green Light Law, the multiple changes that were discussed previously to the Criminal Justice system, and the changes to AIM funding to towns and villages.

"These mandates have significant costs and must be primarily paid for by the counties. Tioga County cannot continue to absorb these costs going forward and, therefore, I fear that we will have to reduce services and/or impose higher tax levy increases. Either way, our residents will take a hit through years to come for all of these things."

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 337-19 *AUTHORIZE TREASURER TO ENCUMBER FUNDS*

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 31, 2019 to allow proper coding of bills for payment through February 29, 2020.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 338-19 *YEAR END TRANSFERS*

RESOLVED: That the unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 339-19 TOWN TAX LEVY

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2020; be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside Highway Outside</u>	
Barton	-	-
Candor	5,700	238,447
Newark Valley	-	13,230
Nichols	4,575	-
Owego	-	2,184,967
Spencer	16,700	415,695
Further		

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	19,772.45
Lockwood Fire Protection	43,650.05
Waverly Joint Fire Protection	284,216.00
Town of Berkshire	
Berkshire Fire District	150,931.00
Town of Candor	
Candor Fire District	451,537.00
Town of Newark Valley	
Newark Valley Fire District	310,349.39

Town of Nichols		
Nichols Joint Fire Protection		509,603.62
Town of Owego		
Apalachin Fire District		1,044,203.00
Owego Fire District		1,786,612.68
Newark Valley Fire District		44,223.00
Town of Richford		
Richford Fire District		106,650.00
Town of Spencer		
Spencer Fire Protection District		78,000.00
Town of Tioga		
Tioga Fire District		283,276.00

Further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	12,132
Water District No. 4/Ext. 15	10,021
Water District No. 4/Ext. 17	-
Water District No. 4/Ext. 20	18,400
Sewer District No. 2/Ext. 14	12,019
Sewer District No. 2/Ext. 15	11,863
Lighting District No. 1	6,404
Lighting District No. 2	12,569
Lighting District No. 3	12,624
Lighting District No. 4A	1,037
Lighting District No. 4B	2,637
Lighting District No. 5	8,423
Lighting District No. 6	14,536
Lighting District No. 7	2,668
Lighting District No. 8	1,733
Lighting District No. 9	886
Lighting District No. 10	1,163

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$367,373.09; be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$8,872.61; be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

Townwide	General	Highway
Barton	210,900	546,500
Berkshire	83,605	338,100
Candor	569,615	728,338
Newark Valley	328,847	341,500
Nichols	-	223,310
Owego	913,000	-
Richford	257,519	473,357
Spencer	316,126	257,292
Tioga	258,454	586,111

Further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 340-19 TRANSFER OF FUNDS FROM CONTINGENCY
TO CORONER'S BUDGET AND
MODIFY 2019 CORONER'S BUDGET

WHEREAS: The Coroner's budget has had a high number of cases for 2019 exceeding 102 through the end of October 2019 and the Coroner's account will not have sufficient funds for the remainder of 2019; and

WHEREAS: It is anticipated the Coroners will have additional cases through the holidays and year-end needing additional funds to pay invoices for medical costs, autopsy, and doctor's fees; and

WHEREAS: The Coroner's payroll account is not sufficient to process outstanding payments and those needed through year-end; and

WHEREAS: Funds will not be needed for radios in 2019 and these funds can be transferred to meet some of the shortfall; and

WHEREAS: Legislative approval is needed to transfer funds, draw from contingency and modify the 2019 budget transferred to meet some of the shortfall; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from contingency and a 2019 budget modification as follows:

From:	A1990 540715 Contingency Account	\$25,000.00
	A1185 520230 Coroner Radio and Equipment	\$ 800.00
To:	A1185 510050 Coroner - Salary Other	\$ 4,000.00
	A1185 540370 Coroner – Medical	\$21,800.00

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 341-19 TRANSFER OF FUNDS
BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Mental Hygiene budget be modified and funds be transferred as follows:

From: A4310 510010 Full Time	\$19,668.24
To: A4390 540590 Criminal Psychiatric: Services Rendered	\$19,668.24

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 342-19 APPROPRIATION OF FUNDS AND BUDGET
MODIFICATION MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Family Peer Support Services, Ongoing Integrated Supported Employment, Supported Housing and Psychosocial Club; and

WHEREAS: TCMH has contracted with AspireHopeNY and Rehabilitative Support Services to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: Appropriation of funds and Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4310-434900 State Aid-Mental Health		\$ 4,149.00
To: A4311-540595 Services Rendered(Other)	\$	864.00
To: A4320-540590 Services Rendered		\$ 2,180.00
To: A4333-540130 Contracts	\$	250.00
To: A4333-540140 Contracting Services	\$	855.00

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 343-19 APPROPRIATION OF FUNDS MENTAL HYGIENE
AND AMEND 2019 BUDGET

WHEREAS: Tier Rural Integrated Performing Provider Systems, Inc. d/b/a Care Compass Network has made available resources to improve access to care, while reducing emergency department visits and preventable hospital admissions, thereby reducing costs; and

WHEREAS: Care Compass Network has awarded Tioga County Mental Hygiene funding for the implementation of a Telehealth Program and the said funds need to be appropriated; and

WHEREAS: The Department deems it to be in the best interest of the community to accept this grant funding to improve access to care; and

WHEREAS: The grant funding will be awarded as milestones are achieved and this funding is designated for specific program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That the grant funds be appropriated and the 2019 budget be amended as follows:

From: A4312 434900 State Aid Telehealth Grant	\$ 205,100
To: A4312 540590 Services Rendered	\$ 205,100

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 344-19 *TRANSFER OF FUNDS*
2019 BUDGET MODIFICATION
FOR PURCHASE OF EQUIPMENT
DEPARTMENT OF MOTOR VEHICLES

WHEREAS: The DMV office has need to increase the number of cashier stations for the increased customer demand; and

WHEREAS: New York State Department of Motor Vehicles requires the purchase of state equipment for the station; and

WHEREAS: NY State has approved the purchase; and

WHEREAS: The DMV has money in their budget for the purchase of this equipment and such funds need to be moved into an equipment account; therefore be it

RESOLVED: That the DMV be authorized to purchase the equipment at a total amount not to exceed \$3300.00 and that the following sums be transferred:

From:	A1411 - 510020 Part Time/Temporary	\$3300.00
To:	A1411 - 520090 Computer	\$3300.00

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 345-19 ACCEPT INDIGENT LEGAL SERVICES AWARD AND AMEND BUDGET

WHEREAS: The Assigned Counsel Administrator's Office has been awarded an Indigent Legal Services Grant (C900049) in the amount of \$61,902.00; and

WHEREAS: This funding now needs to be appropriated; and

RESOLVED: That the ILS Grant of \$61,902.00 be appropriated and the 2019 Budget be amended as follows:

Revenue Account: A 1173 430260 State Aid Indigent \$ 61,902.00

Expense Account: A 1173 510010 Full Time Salary \$ 9,000.00
 A 1173 510020 Part Time Salary \$ 50,301.00
 A 1173 540040 Books \$ 2,601.00

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
 FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 346-19 AUTHORIZE ACCEPTANCE OF THE NYS 2019-2020 PSAP OPERATIONS GRANT AND MODIFY 2020 BUDGET

WHEREAS: The Sheriff applied and was awarded a NYS Office of Interoperable and Emergency Communications PSAP Operations grant in the amount of \$131,130; and

WHEREAS: This funding will reimburse the E911 budget for Dispatcher personnel service costs incurred in 2020; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the acceptance of this award; and be it further

RESOLVED: That the 2020 budget be modified to reflect this state aid and that this funding be receipted with the following revenue account.

Revenue Account: A3020 433310 \$131,130

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 347-19 *MODIFY 2019 BUDGET AND
TRANSFER FUNDS
SHERIFF'S OFFICE*

WHEREAS: Funds need to be transferred from various accounts to pay for obligatory 2019 expenses for inmate medical expenses; and

WHEREAS: Legislative approval is needed to modify the 2019 budget and transfer funds between object of expenses; therefore be it

RESOLVED: That the 2019 budget be modified and transfer of funds be made as follows:

FROM:

A3020.540660	Telephone	\$ 8,000
A3110.540220	Automobile Fuel	\$ 8,000

TO:

A3150.540370	Medical	\$16,000
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ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 348-19 2020 STAFF CHANGE
IT&CS DEPARTMENT

WHEREAS: The IT&CS Department requested a staff change as part of the 2020 Budget process; and

WHEREAS: This change was approved by the County Legislature; therefore be it

RESOLVED: That the following staff change is effective January 1, 2020:

<u>Name</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact</u>
D. Griffin	Deputy Director of ITCS	Salary Increase	+ \$3,243
Vacant	Computer Programmer (Specialist)		Unfunded

and be it further

RESOLVED: That the non-union 2.5% salary increase effective January 1, 2020 is not applicable to said increased amount.

Legislator Sullivan made a motion to amend the above resolution, seconded by Legislator Roberts and to read as follows:

Legislator Sullivan spoke. "The amendment now includes in the first RESOLVED statement, the name/title listed as Vacant – Computer Programmer, as unfunded. This is just to make the official record reflect that this position is no longer funded".

ROLL CALL ON AMENDMENT

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 349-19 *2020 STAFF CHANGES*
COUNTY CLERK'S OFFICE

WHEREAS: The County Clerk's Office requested staffing changes as part of the 2020 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; and

WHEREAS: That for the purpose of clarifying the classification series of titles within the Department of Motor Vehicles there is a need to amend the title of Motor Vehicle Examiner; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2020:

Name	Current Title/ Salary	New Title/ Salary	Budget Impact
Vacant	Motor Vehicle Examiner Part-time – Abolish	Motor Vehicle License Clerk (CSEA Salary Gr. 4)	+\$2,368

and be it further:

RESOLVED: That the following staffing changes are effective January 4, 2020:

Name	Current Title/ Salary	New Title/ Salary	Budget Impact
Unknown		Principal Motor Vehicle License Clerk (CSEA Salary Gr. 6)	+ \$2,368
Vacant	Sr. Motor Vehicle License Clerk (CSEA Salary Gr. 5)		Unfunded
S. Holcomb R. Palanza W. Ryder	Motor Vehicle Examiner (CSEA Salary Gr. 4)	Motor Vehicle License Clerk (CSEA Salary Gr. 4)	\$0

and be it further:

RESOLVED: That the employees who will be retitled to Motor Vehicle License Clerk shall have a continuation of their current status under civil service laws and rules and that notification will be provided to those employees impacted by this change; and be it further

RESOLVED: That the County Clerk’s full-time headcount shall increase from 11 to 12 and its part-time headcount shall decrease from 2 to 1.

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 350-19 2020 STAFF CHANGES
PUBLIC HEALTH

WHEREAS: The Public Health Department requested staffing changes as part of the 2020 Budget process; and

WHEREAS: These requests were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes be effective January 1, 2020:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
New		Dental Assistant (PT)	+ \$8,700
New		Dental Hygienist (CSEA Sal Gr. 8)	+ \$38,758
New		Dental Health Coordinator (CSEA Sal Gr. 10)	+ \$42,750
Vacant	Director of Dental Health Services (NU Salary)		Unfunded

and be it further:

RESOLVED: That the following staffing changes be effective January 4, 2020:

K. Holochak	Public Health Educator (CSEA Sal Gr. 11)	Senior Public Health Educator (CSEA Sal Gr. 12)	+ \$1,806
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and be it further:

RESOLVED: That the Public Health Department's authorized full-time headcount shall increase from 27 to 29 and its part-time headcount shall increase from 6 to 7.

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 351-19 2020 STAFF CHANGE
SHERIFF'S OFFICE

WHEREAS: Due to a desk audit conducted by the Personnel Department in 2018, the title of Payroll Clerk-Typist in the Sheriff's Office had been earmarked for reclassification upon vacancy; and

WHEREAS: Due to an announced resignation, said position shall become vacant on December 31, 2019; therefore be it

RESOLVED: That the following staff change is effective January 1, 2020:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
Unknown	Payroll Clerk-Typist (CSEA Salary Gr. 7)	Accounting Associate III (CSEA Salary Gr. 7)	\$0

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 352-19 2020 STAFF CHANGE
MENTAL HYGIENE

WHEREAS: The Mental Hygiene Department requested a staffing change as part of the 2020 Budget process; and

WHEREAS: This change was approved by the County Legislature; therefore be

it RESOLVED: That the following staff change is effective January 1, 2020:

<u>Name</u>	<u>Current Title/ Salary Grade</u>	<u>New Title/ Salary Grade</u>	<u>Budget Impact</u>
S. Graves	Secretary to Director of Community Services	Salary Increase	+ \$1,392

and be it further

RESOLVED: That the non-union 2.5% salary increase effective January 1, 2020 is not applicable to said increased amount.

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 353-19 AUTHORIZE CREATION OF NEW CLASSIFICATION
AND IDENTIFY STAFF CHANGES
MENTAL HYGIENE

WHEREAS: Legislative approval is required to create any job title within Tioga County; and

WHEREAS: After conducting a review of classifications within the Clinical Social Worker series, the Personnel Officer has determined a need to create a new classification to differentiate between Senior Clinical Social Workers (CSEA Salary Grade XVII) based in the clinics and those who are primarily based in schools or community centers; and

WHEREAS: The salary allocation for said new classification will remain consistent with the current title's salary allocation and incumbents shall have a continuation of status under civil service laws and rules; therefore be it

RESOLVED: That the title of Senior Clinical Social Worker (School / Community Based) shall be created and allocated to CSEA Salary Grade XVII (\$60,908-\$61,608) effective January 1, 2020; and be it further

RESOLVED: That the following staffing changes are effective January 4, 2020:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
T. Palombizio	Senior Clinical Social	Senior Clinical Social	\$0
S. Roberts	Worker (CSEA SG XVII)	Worker (School/ Community Based)	
C. Tirinato		(CSEA SG XVII)	
Vacant			

and be it further

RESOLVED: That a final notification will be provided to the Director of Community Services and to the employees impacted by these changes; and be it further

RESOLVED: That said changes shall have no impact to the Mental Hygiene Department's headcount.

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 354-19 *2020 STAFF CHANGE/
AUTHORIZE APPOINTMENT
PERSONNEL DEPARTMENT*

WHEREAS: The Personnel Officer requested an increase in staff as part of the 2020 Budget process; and

WHEREAS: This request was approved by the County Legislature; and

WHEREAS: All Non-union appointments require Legislative approval; therefore be it

RESOLVED: That the following staff change is effective January 1, 2020:

<u>Name</u>	<u>Current Title/ Salary</u>	<u>New Title/ Salary</u>	<u>Budget Impact</u>
Unknown		Civil Service Technician (Non-Union Salary Gr. \$36,421-\$46,421)	\$36,000

and be it further

RESOLVED: That Nancy Henry shall be permanently promoted to the Civil Service Technician position effective January 4, 2020 at an annual salary of \$42,591; and be it further

RESOLVED: That the Personnel Department headcount shall increase from 5 full-time to 6 full-time.

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standing, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 355-19 APPOINTMENT OF PART-TIME
INFORMATION SECURITY OFFICER
LEGISLATIVE OFFICE

WHEREAS: Tioga County Policy 43 requires the Legislature to appoint annually, a part-time Information Security Officer who will be responsible for implementing and monitoring a consistent data security program; therefore be it

RESOLVED: That Susan Haskett shall be appointed to the part-time Information Security Officer position for 2020 and will be compensated at an annual rate of \$2,511 per year.

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGAL/FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 356-19 AUTHORIZE APPOINTMENT TO THE TITLE OF
PARALEGAL (PT)
PUBLIC DEFENDER'S OFFICE

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: Due to resignation, a part-time Paralegal position (\$16.17-\$16.57/hour) has been vacant in the Public Defender's office since December 5, 2019; and

WHEREAS: The Public Defender has identified a qualified candidate to fill said position; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Public Defender to appoint Amanda Pullano to the title of Paralegal (PT) at an hourly rate of \$16.17 effective December 11, 2019; and be it further

RESOLVED: That Ms. Pullano will not be eligible for the 2020 non-union salary increase until a six (6) month evaluation has been complete

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Balliet moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 357-19 *AUTHORIZE STAFFING REORGANIZATION/
AUTHORIZE APPOINTMENT*

WHEREAS: The part-time position of Director of Veterans' Services was vacated on October 25, 2019; and

WHEREAS: The Legislature is supportive of making the Director of Veterans' Services position full-time (35hrs./wk.) if the Veterans' Service Officer position is reduced from full-time to part-time; therefore be it

RESOLVED: That effective January 1, 2020, the Director of Veterans' Services position shall be increased to full-time (35 hrs./wk.) at a Non-Union salary grade of \$44,229-\$54,229 and the Veterans Service Officer position shall be reduced from full-time to part-time (17hrs./wk.) at an hourly rate of \$ 17.04; and be it further

RESOLVED: That Michael Middaugh shall be appointed to the full-time position of Director of Veterans' Services effective January 4, 2020, at an annual salary of \$44,229; and be it further

RESOLVED: That the department's headcount shall remain at 1 full-time and 1 part-time.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 359-19 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 336-19 dated December 10, 2019 adopted a Budget for the fiscal year 2020 and by Resolution No. 336-19 dated December 10, 2019 has made appropriations for the conduct of the County Government during said fiscal year and has by resolution No. 336-19 dated December 10, 2019 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That this Legislature hereby levies the following for recycling purposes, upon the taxable real property liable therefore, in the County upon valuation as heretofore equalized by it.

Barton	195,080.46
Berkshire	34,475.28
Candor	131,631.01
Newark Valley	83,719.57
Nichols	67,183.25
Owego	582,616.39
Richford	31,487.97
Spencer	89,636.23
Tioga	123,186.84
Total	1,339,017.00

And be it further

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County

purposes, excluding Recycle set forth above, upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$23,315,092.00 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	534,097.12
For School Tax Returned	3,580,275.63
For Deficits from prior years' taxes	13.22
For Reimbursement of Erroneous taxes, etc.	1,170.28

All of the forgoing being subject to credit for excess collection the prior year of 4.23

Further

RESOLVED: That the County Treasurer's Office be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 339-19 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Tax Districts of the County on or before December 31, 2019; and be it further

RESOLVED: That the tax rates for each of the Towns, excluding Recycle, are as follows:

Barton	Out 10.360682
	In 10.360682
Berkshire	8.691859
Candor	Out 8.953142
	In 8.953142
Newark Valley	Out 12.788725
	In 12.788725
Nichols	Out 33.337849
	In 33.337849
Owego	Out 11.955270
	In 11.955270
Richford	6.977205
Spencer	Out 9.586131
	In 9.586131
Tioga	135.664893

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 360-19 *APPROVE TRANSFER OF FUNDS TO PAY
ELECTION INSPECTORS FOR ELECTRONIC
POLL BOOK TRAINING*

WHEREAS: Electronic poll books were implemented for the first time in Tioga County for the 2019 General Election, as a result of NYS election reforms passed in early 2019; and

WHEREAS: Additional election inspector training was implemented by the Board of Elections to prepare election inspectors for the new technologies, although funding had not been budgeted to pay for additional training; and

WHEREAS: Election inspector training expenses for e-poll books are eligible for reimbursement under the State-funded Early Voting Aid to Localities Grant; and

WHEREAS: The Board of Elections proposes to pay each election inspector who attended the e-poll book training an additional \$25.00; and

WHEREAS: A total of 138 election inspectors attended the e-poll book training, equating to a total expense of \$3450.00; and

WHEREAS: Including this added expense, the available budget to pay election inspectors is deficient a total \$5,941.28; and

WHEREAS: Sufficient funding remains in the Part Time/Temporary salary budget line (A1450 510020) to cover expenses for both the remaining part-time wages and the deficient amount to pay election inspectors; therefore be it

RESOLVED: The Board of Elections is authorized to transfer funds as follows:

FROM:	A1450 510020 (PT Salary)	\$5,941.28
TO:	A1450 540143 (Election Inspectors)	\$3,748.78
	A1450 540143 (Election Inspectors EV19)	\$2,192.50

ROLL CALL VOTE

Yes – Legislators Balliet, Hollenbeck, Monell, Sauerbrey, Roberts, Standinger, Sullivan, and Weston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Meeting adjourned at 6:35 p.m.

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